APHC010553242026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE 14th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 30173 OF 2026

Between:

1. M/S PRUDENT MARINE SERVICES AND LOGISTICS, A proprietary concern, represented by its Proprietor, Sri Gottemukkala Venkata Vijaya Hari Varma, Having its premises at DLB Kalyana Mandapam (P. Convention), Saligramapuram, Visakhapatnam, Andhra Pradesh.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Represented by its Principal Secretary to Government, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravati, Andhra Pradesh.522238.

2. The Commissioner Director of Municipal Administration, , Government of Andhra Pradesh, Vijayawada, Andhra Pradesh 520001.

3. The District Collector and District Election Officer, Visakhapatnam District, Visakhapatnam, Andhra Pradesh 530001.

4. The Greater Visakhapatnam Municipal Corporation, rep.by Commissioner, Visakhapatnam, Andhra Pradesh 530001..

5. The Returning Officer, Ward No.55, Greater Visakhapatnam Municipal Corporation, Visakhapatnam. 530001.

6. The Visakhapatnam Port Authority, Represented by its Chairperson, Visakhapatnam, Andhra Pradesh530001

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue an appropriate writ, order or direction, more particularly one in the nature of a Writ of Mandamus, declaring the failure of the respondents to consider and dispose of the petitioners representations dated 29.09.2026 and 09.10.2026, notwithstanding the subsisting registered lease deed dated 12.02.2024 and the communications of the 6th respondent dated 07.09.2026 and 06.10.2026 requesting identification of alternative buildings, as arbitrary, unreasonable and contrary to law and consequently, direct the respondents to de-notify the subject premises, namely, P. Convention/DLB Kalyana Mandapam, Saligramapuram, Visakhapatnam, from the list of buildings identified for use as polling stations and to identify suitable alternative buildings for the said purpose, having due regard to the petitioners subsisting leasehold interest under the registered lease deed dated 12.02.2024, the commercial use of the subject premises, the likely financial prejudice to the petitioner and hardship to the third person who booked the hall for the marriage purpose and the communications of the 6th respondent requesting alternative accommodation

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the respondents, pending disposal of the main writ petition, to consider the petitioner's representations dated 29.09.2026 and 09.10.2026, in the light of the communications issued by the 6th respondent dated 07.09.2026 and 06.10.2026 seeking identification of alternative buildings to and to refrain from interfering with the petitioner's lawful possession and commercial use of the

subject premises for polling-station purposes except in accordance with the applicable law and prescribed procedure,

Counsel for the Petitioner: P HEMACHANDRA

Counsel for the Respondents: GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following Order:

Heard Sri O. Manohar Reddy, learned Senior Counsel assisted by Sri P. Hema Chandra, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development, learned Assistant Government Pleader for Revenue, Sri A.S.C. Bose, learned Standing Counsel for the respondent No.4 and Sri Virupaksha Dattatreya, learned Standing Counsel for the respondent No.6.

2. The grievance of the petitioner in the instant Writ Petition is against the action of the respondents in not considering the representations of the petitioner dated 29-09-2026 and 09-10-2026.

3. It is contended that the petitioner entered into the lease deed dated 12-02-2024 with respondent No. 6 pursuant to the tender issued by respondent No. 4 on 24-03-2023. The petitioner was declared the successful bidder, and the said lease was for a period of five years from the date of handing over the premises. Accordingly a lease deed was executed between the petitioner and the 6th respondent. However, subsequently the subject premiseswas identified by the Election authorities as polling booth. The 6th respondent port authority refusing to the said proposal addressed a letter dated 27-02-2024 to the authorities seeking de-notification of the subject premises from the State

Government use. The said representation was not considered. Subsequently the proceedings dated 13-03-2024 were passed by the Electoral Registration Officer stating that polling stations had already been notified in respect of the subject premises and that the petitioner's request would be considered after the post-election. Even in the ensuing Municipal elections, the Port Authority has rejected the request of the Electoral Registration Officer to continue the subject property as polling station, since it has already been leased out. The petitioner had also addressed a letter dated 29-09-2026 to the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam District to make alternate arrangements.

4. Learned Senior Counsel Sri O. Manohar Reddy appearing for the petitioner would submit that if the Government is of the view that in connection with an election any premises are needed or likely to be needed for the purpose of being used as polling stations for storage of ballot boxes, voting machines and poll related material, the Government may by order in writing make a requisition such premises. In the facts of the present case, the property cannot be considered as the Government property as the same has been leased out to the petitioner, a private enterprise.

5. It is contended that the petitioner had already let out the property for being used as a function hall for performing wedding ceremonies, social and cultural functions etc. In the light of the same, since the dates for functions and celebrations have already been scheduled respectively by the respective customers, in the said circumstances in the ensuing elections if the subject

property is notified as polling stations, the petitioner will be put to severe loss and financial hardship as it has already undertook to provide the premises on hire. In the light of the same, learned Senior Counsel submits that the petitioner had already approached the respondents for de-notification of the subject premises and prays for consideration of the request of the petitioner forthwith.

6. Considering the exigency as pointed out by the learned Senior Counsel, this Court deems it appropriate to direct the respondent No.3 to pass appropriate orders forthwith on the representation of the petitioner dated 29-09-2026 and 09-10-2026, taking into consideration the earlier proceedings of the Electoral Registration Officer, dated 13-03-2024, nor later than one (01) week from the date of receipt of the order.

7. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 14-10-2026

Note: Issue CC by 15-10-2026
B/o.
MSI

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