

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

OP(C).No. 1932 of 2015 (O)

OS 253/2010 OF MUNSIF COURT, THALASSERY

PETITIONER(S):

ASHARAF T. P, AGED 55,
S/O. MAMMU HAJEE, THIRUVAMBADY, THANEEM HOUSE,
PERINGATHUR P.O., THALASSERRY TALUK, KANNUR DISTRICT.

BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENT(S):

1. T. ABOOBACKER, AGED 55,
S/O. KUNHALIKKUTTY, THAYYULLATHIL, PANOOR P.O.,
THALASSERRY TALUK - 670 692.
2. M.P.MOOSA, AGED 54 YEARS,
S/O. AHAMMED HAJEE, MATHATH PALLIKKANDY, POYILOOR P.O.,
THALASSERRY TALUK, KANNUR DISTRICT - 670 693.
3. C.H.MOOSA, AGED 55 YEARS,
S/O. PAKKI HAJEE, CHERUVANDAVIDA HOUSE, MUDAVANTHERI,
THUNERI P.O., KOZHIKODE DISTRICT - 673 110.
4. T.MUHAMMED NELLIYAT, AGED 68 YEARS,
KUNHIMOOSA HAJI, PARAKKADAVU, VATAKARA TALUK,
KOZHIKODE DISTRICT - 673 101.
5. MUSLIM EDUCATIONAL FOUNDATION,
REPRESENTED BY ITS GENERAL SECRETARY K.M.SOOPY,
KALLIKANDY P.O.,
THALASSERI KANNUR DISTRICT - 670 693.
6. K.M.SOOPY, AGED 75 YEARS,
GENERAL SECRETARY,
MUSLIM EDUCATIONAL FOUNDATION (REGD), FIROZ MANZIL,
PANOOR P.O., THALASSERRY TALUK,
KANNUR DISTRICT - 670 692.
7. PRASAD K.K., AGED 40,
S/O. GOPALAN, ADVOCATE, NEAR DISTRICT COURT,
THALASSERRY, KANNUR DISTRICT - 670 693,
(ADVOCATE COMMISSIONER/RETURNING OFFICER)

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 10-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

OP(C).No. 1932 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - TRUE COPY OF THE PLAINT OS 253/2010 ON THE FILE OF THE MUNSIF COURT, THALASSERY DTD. 14.6.2010.

P2 - TRUE COPY OF THE CASH RECEIPT DTD. 16.11.94.

P3 - TRUE COPY OF THE MEMBERSHIP RECEIPT.

P4 - TRUE COPY OF THE APPLICATION FOR IMPEACHING IN OS 253/2010 DTD. 05.8.2015 AS IA 2026/2015.

P5 - TRUE COPY OF THE WRITTEN STATEMENT DTD. 06.06.2011 IN OS 253/2010.

P6 - TRUE COPY OF THE ADDITIONAL WRITTEN STATEMENT DTD. 08.2.2014 IN OS 253/2010.

P7 - TRUE COPY OF THE AFFIDAVIT IN IA O. 2310/13 DTD. 30.9.2013 AS IA.2027/2015.

P8 - TRUE COPY OF THE STAY PETITION IN OS 253/2010 DTD. 05.8.2015.

P9 - TRUE COPY OF THE ELECTION NOTICE PUBLISHED BY THE GENERAL SECRETARY.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

B.KEMAL PASHA, J.

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O.P.(C).No.1932 of 2015

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Dated this the 10th day of August, 2015

J U D G M E N T

Heard the learned counsel for the petitioner.

2. It seems that the election was conducted on 08.08.2015. Of course, the result of the election shall be subject to the disposal of the proceedings before the court below. At the same time, the court below is directed to dispose of Exhibit P4 I.A.No.2026 of 2015 expeditiously. The petitioner is at liberty to challenge the validity of the election conducted.

With the said observations, this Original Petition (Civil) is disposed of accordingly.

Sd/-

**B.KEMAL PASHA
JUDGE**