

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WA.No. 224 of 2015 () IN WP(C).16285/2014

AGAINST THE JUDGMENT IN WP(C) 16285/2014 of HIGH COURT OF KERALA
DATED 09-12-2014

APPELLANT/PETITIONER :-

K.M.SUKUMARAN, AGED 68 YEARS
S/O K.K.MAYILAN, RESIDING AT KOCHUVEETIL, NETAJI ROAD
COUNCILLOR, ALUVA MUNICIPALITY, ALUVA - 683 101.

BY ADV. SRI.BAISIL ATTIPETTY

RESPONDENT(S)/RESPONDENTS :-

1. STATE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
CORPORATION OFFICE BUILDING COMPLEX, L.M.S. JUNCTION
THIRUVANANTHAPURAM-695033.
2. ALUVA MUNICIPALITY
REPRESENTED BY ITS SECRETARY, ALUVA MUNICIPAL HOUSE
PIN:683101, ERNAKULAM DISTRICT.
3. SECRETARY, ALUVA MUNICIPALITY, ALUVA MUNICIPAL HOUSE,
PIN:683101, ERNAKULAM DISTRICT.
4. GRIGARY JOSEPH, XIV/275, KOLLAMPARAMBIL, ALUVA WEST
ERNAKULAM-683101.
5. THE DISTRICT COLLECTOR
ERNAKULAM, CIVIL STATION, KAKKANAD-682030.
6. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM, PIN:695001.
7. THE KERALA STATE COMMISSION FOR SCHEDULED CASTE AND
SCHEDULED TRIBE, REPRESENTED BY ITS SECRETARY, VELLAYAMBALAM
AYYANKALI BHAVAN, KANAKA NAGAR, VETTIYAR P.O.
VELLAYAMBALAM, THIRUVANANTHAPURAM-695003.

8. OMBUDSMAN FOR LOCAL SELF GOVERNMENT INSTITUTIONS
REPRESENTED BY ITS SECRETARY, SAPHALLAYAM COMPLEX
TRIDA BUILDING, PALAYAM, UNIVERSITY P.O.
THIRUVANANTHAPURAM-695034.
9. ANUJA A.S. (FORMER MUNICIPAL SECRETARY, ALUVA MUNICIPALITY)
NOW RESIDING AT COCHIN CORPORATION QUARTERS
ERNAKULAM-682011.

R1 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMM
BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R3 BY ADV.SRI.V.M.KURIAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 04-02-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

Appellant's Exhibits :-

Annexure A1 :- Certified copy of judgment of the learned Single Judge of this Hon'ble Court dated 9.12.2014 in W.P.(C) No.16285 of 2014.

Annexure A2 :- True copy of W.P.(C) No.16285 of 2014 filed before this Honourable Court.

Annexure A3 :- True copy of petition to accept additional documents in the above writ petition submitted by the appellant/petitioner.

Annexure A4 :- True copy of counter affidavit filed on behalf of respondents 2 and 3 in the writ petition.

Annexure A5 :- True copy of reply to the counter filed by the appellant/petitioner.

Respondent's Exhibits :- NIL.

//True Copy//

P.A. to Judge

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.A. No.224 of 2015

Dated this the 4th day of February 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

This writ appeal has been filed against the judgment dated 9.12.2014 passed in W.P.(C) No.16285 of 2014.

2. Learned counsel for the appellant submits that the writ petition was filed challenging Ext.P17, the order passed by the Kerala State Election Commission. The writ petition was disposed of without prejudice to the petitioner to pursue his remedy before the Tribunal for Local Self Government Institutions, Thiruvananthapuram.

3. Learned counsel for the respondents submits that in fact the petitioner never pressed before the learned Single Judge with a prayer to quash Ext.P17.

4. Learned counsel for the appellant submits that he may be permitted to withdraw the writ appeal with liberty to file a review application before the learned Single Judge.

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-: 2 :-

In view of the above submission, permission is granted to withdraw the writ appeal with liberty to file a review application before the learned Single Judge.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt