

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 24345 of 2015 (P)

PETITIONER(S) :

**MRS.GILSA THILAKAN, AGED 40 YEARS,
W/O.MR.THILAKAN, PARLIAMENTARY PARTY LEADER,
UNITED DEMOCRATIC FRONT, VATANAPPALLY,
RESIDING AT MANJIPARAMBIL HOUSE, P.O.THRITHALLUR,
PIN: 680 619, VATANAPPALLY, THRISSUR DISTRICT.**

**BY ADVS.SRI.C.R.REKHESH SHARMA
SRI.A.HAROON RASHEED**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE SECRETARY,
STATE DELIMITATION COMMISSION, LMC CENTRE,
CWC BUILDINGS, THIRUVANANTHAPURAM.**
- 3. VETANAPPALLY GRAMA PANCHAYAT,
REPRESENTED BY THE SECRETARY,
VATANAPPALLY GRAMA PANCHAYAT, P.O.VATANAPPALLY, PIN- 680 614.**

**R1 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA
R2 BY ADV. SRI.MURALI PURUSHOTHAMAN, S.C**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 24345 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE GAZETTE NOTIFICATION DATED 25/01/2015.

**EXHIBIT P2: TRUE COPY OF THE OBJECTIONS FILED BEFORE STATE
DELIMITATION COMMISSION ON 13/06/2015.**

**EXHIBIT P3: TRUE COPY OF THE OBJECTIONS FILED BEFORE DISTRICT
DELIMITATION COMMISSION ON 13/06/2015.**

**EXHIBIT P4: TRUE COPY OF THE PROCEEDINGS OF THE STATE DELIMITATION
COMMISSIONER DATED 23/07/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24345 of 2015

Dated this the 11th day of August, 2015.

J U D G M E N T

The petitioner is aggrieved by Ext.P4, preliminary order of delimitation by which a portion of Venkidangu grama panchayat has been added to Vatanappally grama panchayat.

2. Vatanappally grama panchayat in Talikulam block of Thrissur district comprise of 18 wards. As per the Gazette notification dated 25.1.2015, Government of Kerala notified to add Payyurmad area of ward no.14 of Venkidangu grama panchyat to Vatanappally grama panchyat, which according to the petitioner is geographically adjacent to ward 9 of Vatanappally grama panchayat. The number of voters of ward no.9 is only 1068. As per the notification, 28 houses and 84 voters will be added to the ward no.9. According to the petitioner, the total number of voters of this

constituency will come to 1152 only, which is still lesser than the ward average of the grama panchayat. The petitioner points out that the proposal to add new portion of another panchayat to Vatanappally grama panchayat is patently illegal as those residents who belong to Vengitangu village will become a part of Vatanappally panchayat, without changing the village. As a result, Vatanappally grama panchayat will have Vatanappally village as well as part of Venkitangu village in it, without notification. In view of addition of very few voters, the total geographical lie of the panchayat has been altered and changes has brought to almost all wards in a totally unscientific and arbitrary manner, with a politically biased consideration, which will cause administrative inconvenience. Such breaking down of ward boundaries will result in unimaginable practical and administrative problems in the functioning of the Vatanappally grama panchayat. The petitioner duly filed

objections to the State and District delimitation officers. She was asked to attend the hearing. The petitioner attended hearing and filed suggestions and requested not to proceed with the move to disturb the equilibrium of the panchayat without any reason. After the name-sake hearing, her request was rejected and even didn't referred to the burning issue in the proceedings ; it is alleged. It is with this backdrop, the petitioner has approached this court.

3. I have heard the learned counsel for the petitioner, the learned Standing counsel and the learned Government Pleader.

4. When the matter came up for hearing, the learned counsel for the 2nd respondent would submit that the very substratum of the case which is the Government Order creating new panchayat carving out portion of existing villages was quashed as per the decision in W.P.(C) No.15524/15 and connected cases. Therefore, following the

ratio laid down by this Court in the aforesaid writ petition,
this writ petition is closed.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge