

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

WP(C).No. 25291 of 2015 (J)

PETITIONER :

**A.K.SREEJA, D/O.GOVINDAN,
MUNICIPAL COUNCILLOR, WARD NO.19,
'SREELAKAM', NEW TEMPLE ROAD, PAYYANUR (P.O).,
KANNUR-670 307.**

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF LOCAL SELF GOVERNMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. STATE ELECTION COMMISSION, KERALA,
REPRESENTED BY ITS SECRETARY,
CORPORATION OFFICE COMPLEX, LMS JUNCTION, PALAYAM,
THIRUVANANTHAPURAM-695 033.**
- 3. THE DISTRICT COLLECTOR,
(AS THE DISTRICT ELECTION OFFICER),
DISTRICT COLLECTORATE, TALAP, KANNUR-670 002.**
- 4. PAYYANUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
PAYYANUR MUNICIPALITY OFFICE, PAYYANUR,
KANNUR-670 307.**

**R1 & R3 BY GOVERNMENT PLEADER SMT. K.A.SANJEETHA
R2 BY ADV. SRI.MURALI PURUSHOTHAMAN,SC,DELIMITATION**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 25291 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1. TRUE COPY OF THE LIST OF POLLING STATIONS IN PAYYANNUR MUNICIPALITY/CORPORATION FOR 2015
- P2. TRUE COPY OF THE REPRESENTATION SENT BY THE PETITIONER TO THE 3RD RESPONDENT ALONG WITH POSTAL RECEIPT DATED 7.8.2015
- P3. TRUE COPY OF THE LETTER NO.64/2007 -ERS DATED 9.5.2008
- P4. TRUE COPY OF THE RELEVANT PAGES OF THE HANDBOOK FOR RETURNING OFFICERS ISSUED BY THE ELECTION COMMISSION OF INDIA 2014

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 25291 2015

Dated this the 19th day of August, 2015

J U D G M E N T

The petitioner is the present Councillor from Ward No.19 of Payyannur Municipality. The municipality election for Payyannur Municipality/Corporation is scheduled to take place in the month of October - November 2015. Ext.P1 is the list of polling stations in Payyannur Municipality. According to the petitioner, the polling stations of all wards are situated in their respective wards except that of Ward No.19. The petitioner requests that the polling station of Ward No.19 be allotted to Ward No.19 itself for polling. The petitioner submitted Ext.P2 representation before the 3rd respondent aggrieved by the allotment of polling station of Ward No.19 to Ward No.27. According to her, Ext.P1 is unjust and arbitrary to the extent it allots the polling station of Ward No.19 to Ward No.27. Hence, this writ

petition.

2. Heard the learned counsel for the petitioner, the learned senior Government Pleader and the learned Standing Counsel for the 2nd respondent.

3. As the limited prayer in this writ petition is for a direction to the 3rd respondent to consider Ext.P2 representation within a time frame, this Court is of the view that the writ petition can be disposed of even without issuing notice to the 4th respondent.

Therefore, the writ petition is disposed of directing the 3rd respondent to consider and pass appropriate orders on Ext.P2 representation within a period of two weeks from the date of receipt of a copy of this judgment after affording the petitioner and the affected parties including the 4th respondent an opportunity of being heard.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-