

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 30379 of 2013 (V)

PETITIONER(S):

K.P.RETNAKUMAR
MEMBER, WARD NO.2, KADINAMKULAM GRAMA PANCHAYATH
CHITTATTUMUKKU P.O., THIRUVANANTHAPURAM.

BY ADVS.SRI.B.S.SWATHY KUMAR
SRI.REMYA MURALI
SRI.ASHISH MOHAN

RESPONDENT(S):

1. KERALA STATE ELECTION COMMISSION, THIRUVANANTHAPURAM
THIRUVANANTHAPURAM-695 001.
2. SABU
LALSALAM HOUSE, KADINAMKULAM
THIRUVANANTHAPURAM-695 588.

R1 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMM
R2 BY ADV. SRI.M.R.SASITH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 30379 of 2013 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE ORDER IN OP NO.165/2011 DATED 23/11/2013 OF
THE 1ST RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.30379 of 2013

Dated this the 7th day of September, 2015

J U D G M E N T

The issue is covered by Radhakrishnan v. State of Kerala and others [2015 (4) KHC 336]. The petitioner can be disqualified only if he had not convened the meeting as required under the Panchayat Raj Act, 1994. The meeting in the instant case though convened did not take place for want of quorum. The petitioner cannot therefore be disqualified in the light of the decision afore-quoted.

2. Ext.P1 order declaring the petitioner as disqualified for being a member of the Grama Panchayat is hereby quashed.

The writ Petition is allowed. No costs.

Sd/-
V.CHITAMBARESH,
Judge.

nj.

