

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 31101 of 2015 (K)

PETITIONER(S):

RAJAN.P., AGED 39 YEARS
S/O.PONNAIYA, VALIYAKANDATHIL HOUSE, KUZHIKANDAM
KUMILY VILLAGE, KUMILY PO, PEERUMEDU TALUK
IDUKKI DISTRICT-685 509.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S):

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
LOCAL SELF GOVERNMENT DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE KUMILY PANCHAYATH
REPRESENTED BY ITS SECRETARY, KUMILY PO
PEERUMEDU TALUK, IDUKKI DISTRICT-685 509
3. THE RETURNING OFFICER
KUMILY PANCHAYATH, KUMILY PO, PEERUMEDU TALUK
IDUKKI DISTRICT-685 509
4. THE TAHASILDAR
PEERMED TALUK OFFICE, IDUKKI DISTRICT-685 001.

R3 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMMISSION
R BY GOVERNMENT PLEADER SRI.BOBY JOHN PULIKKAPARAMBIL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31101 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 :A TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED BY THE SCHOOL
AUTHORITIES IN THE CASE OF THE PETITIONER DATED NIL

P2 :A TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED BY THE GOVERNMENT
ARTS COLLEGE, THIRUVANANTHAPURAM DT 25-4-1998

P3 :A TRUE COPY OF THE CERTIFICATE ISSUED BY THE SOCIETY IN THE CASE OF
THE PETITIONER DT 7-10-2015.

P4 :A TRUE COPY OF THE COMMUNITY CERTIFICATE ISSUED TO THE PETITIONER BY
THE FOURTH RESPONDENT DT 30-9-2015.

P5 :A TRUE COPY OF THE SCREENSHOT OF THE MOBILE OF THE PETITIONER DATED
NIL.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.31101 of 2015

Dated this the 14th day of October, 2015

J U D G M E N T

The petitioner apprehends rejection of his nomination on the ground that his community certificate is cancelled. The writ petition is purely anticipatory in nature. The petitioner can have a grievance only in case the nomination is not accepted.

2. The petitioner is yet to be served with the order cancelling his community certificate. Ext.P5 notification in the web site cannot be impugned. It is open to the petitioner to take proceedings appropriately. The petitioner is free to urge his contentions at the time of scrutiny of his nomination. There is also a constitutional bar for this Court to interfere in the election process. Article 243-O of the Constitution of India is categorical. I therefore decline jurisdiction under Article 226 of the Constitution of India.

The Writ Petition fails. Dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj/14.10.15