

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937H

WP(C).No. 32375 of 2015 (V)

PETITIONER(S)/PETITIONERS:-:

1. RAGESH P.K. AGED 24 YEARS
S/O.RAJAN, RESIDING AT KUTHIRAKKAL HOUSE
EZHILODE P.O., KANNUR DISTRICT.
2. NALINI O.V. AGED 63 YEARS
D/O.K.P.KUNHAPPA NAMBIAR, RESIDING AT MUNDAYATHOUSE
PURACHERI, EZHILODE P.O., KANNUR DISTRICT.
3. VIJAYAN K. AGED 64 YEARS
S/O.KUTTAPPAN, RESIDING "MANJUSREE", KARATT
EZHILODE P.O., KANNUR DISTRICT.
4. K.G. VARGHESE AGED 58 YEARS
S/O.K.GABRIEL, RESIDING AT "VEEMA NIVAS", C.M.NAGAR
PILATHARA P.O., KANNUR DISTRICT.
5. SHYJA K.V. AGED 36 YEARS
D.O.KRISHNAN, RESIDING AT PARIYARAM HOUSE
VILAYANCODE P.O., KANNUR DISTRICT.
6. PANKAJAKSHI K.V.M. AGED 50 YEARS
D/O.GOVINDAN, RESIDING AT CHERUTHAZHAM HOUSE
MANDUR P.O., KANNUR DISTRICT.
7. RAMADAS K. AGED 45 YEARS
S/O.RAMA MARAR, RESIDING AT KOTTELA HOUSE, MANDUR P.O.
KANNUR DISTRICT.
8. M.V.KAMMARAN AGED 52 YEARS
S/O.LATE KORAN NAMBIAR, RESIDING AT PUTHUR
PILATHARA P.O., KANNUR DISTRICT.
9. DAMODARAN C.M. AGED 66 YEARS
S/O.LATE KRISHNAN, RESIDING AT "ARUNIMA", MANDUR P.O.
KANNUR DISTRICT.
10. RAJAMANI C.H. AGED 55 YEARS
D/O.KARUNAKARAN, RESIDING AT "SREEKRISHNA"
PILATHARA P.O., MANDUR, KANNUR DISTRICT.
11. RADHAMANI N.V. AGED 51 YEARS
D/O.PARVATHY, RESIDING AT KUTHIRAKKAL HOUSE
EZHILODE P.O., KANNUR DISTRICT.

BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI

RESPONDENT (S) /RESPONDENTS:-:

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1. THE KERALA STATE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
OFFICE OF THE STATEELECTION COMMISSION
THIRUVANANTHAPURAM - 695 001.
 2. THE DISTRICT COLLECTOR
KANNUR, KANNUR DISTRICT - 670 001.
 3. THE DEPUTY SUPERINTENDENT OF POLICE
THALIPARAMBA, KANNUR DISTRICT - 670 141.
 4. THE CIRCLE INSPECTOR OF POLICE
THALIPARAMBA, KANNUR DISTRICT - 670 141.
 5. THE SUB INSPECTOR OF POLICE
PARIYARAM POLICE STATION, KANNUR DISTRICT - 670 502.

R1 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMM
R2-R5 BY SRI.P.VIJAYARAGHAVAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1(A). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(B). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 2ND PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(C). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 3RD PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(D). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 4TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(E). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 5TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(F). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 6TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(G). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 7TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(H). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 8TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(I). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 9TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(J). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 10TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P1(K). THE TRUE COPY OF THE REPRESENTATION DATED 17.10.2015 SUBMITTED BY THE 11TH PETITIONER BEFORE THE 2ND RESPONDENT.
EXHIBIT P2(A). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITIONER.
EXHIBIT P2(B). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 2ND PETITIONER.
EXHIBIT P2(C). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 3RD PETITIONER.
EXHIBIT P2(D). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 4TH PETITIONER.
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EXHIBIT P2(J). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 10TH PETITIONER.
EXHIBIT P2(K). THE TRUE COPY OF THE RECEIPT DATED 20.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE 11TH PETITIONER.
EXHIBIT P3. THE TRUE COPY OF THE PAPER REPORT APPEARED IN THE MALAYALA MANORAMA DAILY, KANNUR EDITION DATED 20.10.2015.

RESPONDENT(S) ' EXHIBITS

NIL

TRUE COPY

SKS

P.A TO JUDGE

V.CHITAMBARESH, J.

W.P(C)NO. 32375 OF 2015

Dated this the 27th day of October, 2015

JUDGMENT

The petitioners are apprehensive of disruption of a free and fair polling in the Cheruthazham Grama Panchayat. The petitioners seek deployment of sufficient police force and to video graph the election process to thwart any disruption.

2. A statement has been filed on behalf of the Kerala State Election Commission wherein it is *inter alia* stated as follows:

"7. Sufficient police forces have been deployed in sensitive areas to meet law and order problems. Special care and attention have already been taken by the Police in these sensitive areas to provide adequate security measures to the electorate and the polling officials for the smooth conduct of election in a peaceful atmosphere.

8. Strict instructions have been given to the police officials to take stringent and instantaneous action in accordance with law to prevent bogus voting, impersonation, booth capturing and other electoral offences. Any attempt to traverse the tranquility in order to take advantage from countermanding election or any

attempt to interfere with the smooth process of election will be dealt with seriously. Appropriate and immediate remedial action will be taken in accordance with law to defeat such despicable situations.

9. Thus every step is being taken by the Commission with the assistance of the State Machinery and police to ensure a free and fair election. The police have been instructed to provide adequate protection to voters, polling agents of all political parties and candidates and to assist the election machinery to ensure, fair and free poll. The arrangements are also reviewed each day with the assistance of the police."

3. I am satisfied that appropriate steps have been taken by the respondents to ensure a free and fair polling. The above statement of the Kerala State Election Commission is hereby recorded.

The writ petition is disposed of as above.

V.CHITAMBARESH, JUDGE

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