

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

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

WP(C).No. 32516 of 2015 (L)

PETITIONER(S) :

1. **KAIPACHERY MUKUNDAN
S/O. KUNHIRAMAN, CHANDROTH HOUSE
KELALLOOR, P.O. MAMBARAM, WARD NO. 15,
KEEZHATHUR BALAVADI NIYOJAKA MANDALAM
VENGAD GRAMA PANCHAYAT.**
2. **REMYA P.,
REMYA NIVAS, KALLIKUNNU
P.O. PATHIRIYAD, WARD NO. 20
PADUVILAYI NIYOJAKA MANDALAM
VENGAD GRAMA PANCHAYAT.**
3. **ALAKKANDY ASHOKAN
S/O. NANU, PADINJARE KOVVAL MAILULLY
P.O. PATHIRIYAD, WARD NO. 18, MAILULLI NIYOJAKA MANDALAM
VENGAD GRAMA PANCHAYAT.**
4. **C.P. BABY
SUDHA TEACHER, THATTARI
P.O. ANJARAKKANDI, WARD NO. 21
THATTATHI NIYOJAKA MANDALAM
VENGAD GRAMA PANCHAYAT.**
5. **K.V. PADMINI TEACHER
KOLOTH (VIPANCHIKA), VENMANAL
P.O. ANJARAKANDY, WARD NO. 1
PATTATHARI NIYOJAKA MANDALAM
VENGAD GRAMA PANCHAYAT.**
6. **C. SANOOJA
DARUIRAHMA, POYANAD, MAMBARAM P.O.,
WARD NO. 14, VENGAD GRAMA PANCHAYAT.**

**BY SENIOR ADVOCATE SRI.M.RAMESH CHANDER
BY ADVS.SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO HOME AFFAIRS
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM – 695 001.
2. THE DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM – 695 001.
3. THE SUPERINTENDENT OF POLICE
KANNUR – 670 001.
4. THE DISTRICT COLLECTOR
KANNUR – 670 001.
5. RETURNING OFFICER
FOR ELECTIONS TO VENGAD GRAMA PANCHAYAT
ASSISTANT EXECUTIVE ENGINEER
HARBOUR ENGINEERING SUB DIVISION
THALASSERY, THALAI, KANNUR DISTRICT – 670 102.
6. LOCAL AREA SECRETARY
CPIM, VENGAD GRAMA PANCHAYAT
KANNUR – 670 001.
7. LOCAL SECRETARY
CPIM, VENGAD GRAMA PANCHAYAT
KANNUR – 670 001.
8. STATE ELECTION COMMISSION
KERALA, REPRESENTED BY SECRETARY
THIRUVANANTHAPURAM – 695 001.

R1 TO R5 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN
R8 BY ADV. SRI.MURALI PURUSHOTHAMAN, SC

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

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APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE
SUPERINTENDENT OF POLICE, KANNUR.
- EXT.P1(a) ENGLISH TRANSLATION OF EXT. P1.
- EXT.P2 PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE
SUPERINTENDENT OF POLICE, KANNUR.
- EXT.P2(a) ENGLISH TRANSLATION OF EXT. P2.
- EXT.P3 PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE
SUPERINTENDENT OF POLICE, KANNUR.
- EXT.P3(a) ENGLISH TRANSLATION OF EXT. P3.
- EXT.P4 PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE
SUPERINTENDENT OF POLICE, KANNUR.
- EXT.P4(a) ENGLISH TRANSLATION OF EXT. P4.
- EXT.P5 PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE
SUPERINTENDENT OF POLICE, KANNUR.
- EXT.P5(a) ENGLISH TRANSLATION OF EXT. P5.
- EXT.P6 PHOTOSTAT COPY OF THE REPRESENTATION BEFORE THE DISTRICT
COLLECTOR, KANNUR.
- EXT.P6(a) ENGLISH TRANSLATION OF EXT. P6.
- EXT.P7 PHOTOSTAT COPY OF THE RECEIPT GIVEN TO THE 1ST PETITIONER.

(Contd...)

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EXT.P7(a) ENGLISH TRANSLATION OF EXT. P7.

EXT.P8 PHOTOSTAT COPY OF THE PAPER PUBLICATION WHICH CAME IN
MALAYALA MANORAMA DAILY DATED 20.10.2015.

EXT.P8(a) ENGLISH TRANSLATION OF EXT. P8.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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ASHOK BHUSHAN, CJ & A.M.SHAFFIQUE, J

W.P(C). No. 32516 of 2015

Dated this the 27th day of October, 2015

JUDGMENT

Shaffique, J

Petitioners have approached this Court seeking police protection. It is a matter relating to conduct of election. According to them, they are candidates for election which is notified to be held on 2.11.2015.

2. We have already observed in WP(C).31592 of 2015 that it is for the Government to take necessary action to ensure proper conduct of election. In that case, learned counsel appearing for the State Election Commission has stated that the Commission shall take such steps as has been notified by the police and which had been declared as a vulnerable polling booth in which proper instructions will be given.

We take on record the above submission and dismiss the writ petition.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

sou.

// True copy //

P.A. To Judge