

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

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

WP(C).No. 32551 of 2015 (T)

PETITIONER(S):

M.V.BALAN @ BALAKRISHNAN, AGED 33 YEARS
S/O.ACHUTHAN, MANDARATHUVALAPPIL
EZHUVAPRAKUNNU, VATTAMPKULAM
MALAPPURAM DISTRICT.

BY ADV. SRI.BINOY VASUDEVAN

RESPONDENT(S):

1. THE KERALA STATE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
OFFICE OF THE KERALA STATE ELECTION COMMISSION
L.M.S.JUNCTION, PALAYAM,
THIRUVANANTHAPURAM - 695 033.
2. THE DISTRICT ELECTION OFFICER (THE DISTRICT COLLECTOR)
COLLECTORATE, CIVIL STATION, MALAPPURAM.
MALAPPURAM
3. THE ELECTORAL REGISTRATION OFFICER
FOR VATTAMKULAM GRAMA PANCHAYAT
(SECRETARY VATTAMKULAM GRAMA PANCHAYAT)
VATTAMKULAM P.O., MALAPPURAM DISTRICT - 679 578.

R BY SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMMISSION

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

APPENDIX IN W.P.(C) No.32551 OF 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE VOTERS LIST, PART-I FOR WARD 18 OF VATTAMKULAM GRAMA PANCHAYAT.
- EXHIBIT P2 : TRUE COPY OF THE VOTERS LIST, PART-II FOR WARD NO.18 OF VATTAMKULAM GRAMA PANCHAYAT.
- EXHIBIT P3 : TRUE COPY OF THE SUPPLEMENTARY VOTERS LIST WHICH CONTAINS INCLUSIONS AND DELETIONS, PART-I WARD 18 OF VATTAMKULAM GRAMA PANCHAYAT.
- EXHIBIT P4 : TRUE COPY OF THE SUPPLEMENTARY VOTERS LIST WHICH CONTAINS INCLUSIONS AND DELETIONS, PART II WARD 18 OF VATTAMKULAM GRAMA PANCHAYAT.
- EXHIBIT P5 : TRUE COPY OF THE OBJECTION SUBMITTED BY MANIKANTAN AGAINST THE INCLUSION OF SHARAFUDEEN.
- EXHIBIT P5(a) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANDEEP AGAINST THE INCLUSION OF JALEEL.
- EXHIBIT P5(b) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANDEEP AGAINST THE INCLUSION OF AKBAR.
- EXHIBIT P5(c) : TRUE COPY OF THE OBJECTION SUBMITTED BY MANIKANTAN AGAINST THE INCLUSION OF NAJIMUDEEN.
- EXHIBIT P5(d) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANDEEP AGAINST THE INCLUSION OF ABDUL GAFOOR.
- EXHIBIT P5(e) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANOOP AGAINST THE INCLUSION OF SHABAB.
- EXHIBIT P5(f) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANDEEP AGAINST THE INCLUSION OF SAIFUNISA.
- EXHIBIT P5(g) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANOOP AGAINST THE INCLUSION OF ABDU
- EXHIBIT P5(h) : TRUE COPY OF THE OBJECTION SUBMITTED BY SANOOP AGAINST THE INCLUSION OF RABIA.
- EXHIBIT P6 : TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER BEFORE THE THIRD RESPONDENT DATED 12.10.2015
- EXHIBIT P7 : TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER DATED NIL BEFORE THE THIRD RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE OBJECTION SUBMITTED BY THE BHARATHIYA JANATHA PARTY BEFORE THE FIRST RESPONDENT ON 13.10.2015.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.32551 of 2015

Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner objects to the enrollment of 66 persons as voters in ward No.18 of Vattamkulam Grama Panchayat. Firstly the 66 persons whose interests would be affected have not been impleaded in the writ petition. Secondly, the voters list remains frozen under Section 24(3) of the Kerala Panchayat Raj Act, 1984 after the last date of making nominations. The voters list cannot be tinkered therefore in exercise of the jurisdiction of this Court under Article 226 of the Constitution of India. The petitioner has an effective remedy by way of an Election Petition after the process of election is over.

The writ Petition fails, dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj/27.10.15