

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. 32662 of 2015 (G)

PETITIONER:

**ANITHA RAJU
KUMBATHARA HOUSE,
KAROOR P.O.
THAZHIKADUVAZHI
ALLOOR VILLAGE
THRISSUR**

BY ADV. SMT.INDU SUSAN JACOB

RESPONDENTS:

- 1. CHIEF ELECTION COMMISSIONER
KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM
PIN - 695 001**
- 2. DISTRICT COLLECTOR,
THRISSUR DISTRICT - 680 001**
- 3. RETURNING OFFICER
ALLOOR GRAMA PANCHAYAT
THRISSUR DISTRICT - 680 683**
- 4. SECRETARY
ALLOOR GRAMA PANCHAYAT
THRISSUR DISTRICT - 680 683**
- 5. SMT. HELEN CHACKO
KACHAPPILLY HOUSE
KAROOR P.O.,
THAZHEKKADU
THRISSUR - 680 697**
- 6. SMT. SOPHY TOMY
THOTTAPILLY HOUSE
KAROOR P.O., THAZEKKADU
THRISSUR - 680 697**
- 7. SMT. REJITHA BABU
KOKKUVAYAAL HOUSE
VELLANCHIRA P.O.,
PROUNNAKKUNNU - 680 697**

**R1 BY SRI.MURALI PURUSHOTHAMAN, SC, K.S.E. COMMISSION
R2 TO R4 BY GOVERNMENT PLEADER BOBY JOHN PULIKKAPARAMBIL**

**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). COPY OF THE ACKNOWLEDGMENT OF RECEIPT OF PETITIONER'S NOMINATION PAPER DATED 13.10.2015 ISSUED BY THE THIRD RESPONDENT**
- EXHIBIT P1(b). COPY OF THE ACKNOWLEDGMENT OF RECEIPT OF PETITIONER'S NOMINATION PAPER DATED 13.10.2015 ISSUED BY THE THIRD RESPONDENT**
- EXHIBIT P2. COPY OF THE FORM NO. 2A SUBMITTED BY THE PETITIONER ALONG WITH THE NOMINATION PAPER**
- EXHIBIT P3. COPY OF THE ORDER ISSUED BY THE THIRD RESPONDENT REJECTING PETITIONER'S NOMINATION PAPER**
- EXHIBIT P4. COPY OF THE REPORT OF THE DIRECTION ISSUED BY THE STATE ELECTION COMMISSION TO THE RETURNING OFFICER REPORTED IN THE DAILY NEWSPAPER MALAYALA MANORAMA PUBLISHED ON 15.10.2015**
- EXHIBIT P5. COPY OF THE REPRESENTATION DATED 21.10.2015 MADE BY MR. N.K. JOSEPH TO THE 2ND RESPONDENT**
- EXHIBIT P6. COPY OF THE REPRESENTATION DATED 16.10.2015 MADE BY THE PETITIONER TO THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 32662 OF 2015

Dated this the 27th day of October, 2015

JUDGMENT

Whether Form 2A accompanying the nomination paper has been validly filled up particularly in relation to property tax is a matter for evidence. The ballot papers had reportedly been printed and the election process is at an advance stage. It will be inequitable to interfere with the election process at this stage particularly in view of the bar under Article 243 O(b) of the Constitution of India. The petitioner has after all an effective remedy to call in question the election by a properly constituted election petition.

The writ petition fails and is dismissed.

**V. CHITAMBARESH
JUDGE**

DCS