

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 33475 of 2015 (H)  
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PETITIONER(S):  
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SHARMILA PRATHAP, AGED 45 YEARS  
W/O.PRATHAP.P.M., RESIDING AT GEETHANJALI HOUSE  
ARUNAPURAM P.O., KOTTAYAM - 686 574.

BY ADV. SMT.DIVYA C BALAN

RESPONDENT(S):  
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1. ELECTION COMMISSION OF KERALA,  
COMMISSIONERS OFFICE, THIRUVANANTHAPURAM - 695 003.
2. THE ELECTORAL REGISTRATION OFFICER,  
PALA MUNICIPALITY, KOTTAYAM DISTRICT - 686 575.

R BY SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMMISSION  
R BY SRI.V.M.KURIAN, SC, PALA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX IN W.P.(C) No.33475 OF 2015**

**PETITIONER(S) EXHIBITS**

- EXHIBIT P1 : A TRUE COPY OF THE RATION CARD NO.1527036169
- EXHIBIT P2 : A TRUE COPY OF THE IDENTITY CARD ISSUED BY THE  
ELECTION COMMISSION OF INDIA NO.KL/12/094/003780
- EXHIBIT P3 : A TRUE COPY OF THE ELECTORAL LIST TO THE YEAR 2015.
- EXHIBIT P4 : A TRUE COPY OF THE NOTICES ISSUED TO THE PETITIONER  
AND 4 OTHER FAMILY MEMBERS.
- EXHIBIT P4(a) : A TRUE COPY OF THE NOTICES ISSUED TO THE PETITIONER  
AND 4 OTHER FAMILY MEMBER.
- EXHIBIT P4(b) : A TRUE COPY OF THE NOTICES ISSUED TO THE PETITIONER  
AND 4 OTHER FAMILY MEMBER.
- EXHIBIT P4(c) : A TRUE COPY OF THE NOTICES ISSUED TO THE PETITIONER  
AND 4 OTHER FAMILY MEMBER.
- EXHIBIT P4(d) : A TRUE COPY OF THE NOTICES ISSUED TO THE PETITIONER  
AND 4 OTHER FAMILY MEMBER.
- EXHIBIT P5 : A TRUE COPY OF THE APPEAL SEND TO THE FIRST  
RESPONDENT THROUGH MAIL ON 25/10/2015
- EXHIBIT P6 : A TRUE COPY OF THE COMPLAINT DATED 21.5.2013 BEFORE  
THE CHIEF MINISTER OF KERALA.

**RESPONDENT(S) EXHIBITS**

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

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W.P (C) No.33475 of 2015  
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Dated this the 3<sup>rd</sup> day of November, 2015

J U D G M E N T

The petitioner challenges the removal of her name from the electoral roll of ward No.23 of Pala Municipality. The electoral roll remains frozen from 3 p.m. on the last date of acceptance of nominations. There is also a bar under Article 243 ZG of the Constitution of India to entertain this writ petition.

2. The petitioner can however file an appeal to the District Electoral Officer. The same is permissible under Section 81 of the Kerala Municipality Act. Such a course can be resorted to before the next election.

The writ Petition is dismissed.

Sd/-  
V.CHITAMBARESH,  
Judge.

nj/3.11.15