

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.43172 OF 2018

ORDER: (ORAL) (Per Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

Learned Standing Counsel for the Election Commission of India submits that though a representation was made for permitting the persons from outside area of the polling station to be permitted to be polling agents, list of such persons, sought to be enclosed as polling agents, was not included along with the said representation.

2. We record the submission of the learned Standing Counsel for the Election Commission of India. We do not think that any useful purpose would be served by retaining this matter here since the electoral process has been concluded and results have been declared. All issues relating to the challenge, if any, to the election of any particular returned candidate, is to be carried before the Election Tribunal. The unauthorized and illegal exclusion from due process of election is also left open to be considered by the Election Tribunal and not to be dealt with here through this writ petition. Hence, leaving open all the issues, this Writ Petition is dismissed. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present Writ Petition stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

December 13, 2018.

PV

