IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

Monday, the 17th day of November 2025 / 26th Karthika, 1947

WP(C) NO. 43131 OF 2025(N)

PETITIONER:

VYSHNA S.L. AGED 24 YEARS D/O. SURESH KUMAR S., TC 3/564, PRA 65, SUDHA BHAVAN, MUTTADA P.O., THIRUVANANTHAPURAM DISTRICT, PIN - 695025

RESPONDENTS:

1. **THE STATE ELECTION COMMISSION REPRESENTED BY THE STATE ELECTION COMMISSIONER, OFFICE OF THE STATE ELECTION COMMISSION, CORPORATION OFFICE COMPLEX, LMS JUNCTION, PALAYAM, THIRUVANANTHAPURAM, PIN - 695033**
2. **THE ELECTORAL REGISTRATION OFFICER CORPORATION OF THIRUVANANTHAPURAM, OPPOSITE TO MUSEUM, VIKAS BHAVAN P.O., PALAYAM, THIRUVANANTHAPURAM, PIN - 695033**
3. **DHANEESH KUMAR AGED 54 YEARS S/O. SUKUMAR, RESIDING AT SAKTHI BHAVAN, T.C. NO. 18/2464, MUTTADA P.O., THIRUVANANTHAPURAM, PIN - 695025**
4. **THE JOINT DIRECTOR OF MUNICIPALITIES LOCAL SELF GOVERNMENT DEPARTMENT, DIRECTOR OF URBAN AFFAIRS, SWARAJ BHAVAN, NANTHANCODE, KOWDIAR (PO), THIRUVANANTHAPURAM , PIN - 695033**
5. **THE DISTRICT ELECTION OFFICER/DISTRICT COLLECTOR 2ND FLOOR, CIVIL STATION ROAD, COLLECTORATE, THIRUVANANTHAPURAM, PIN - 695043**

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct respondents 1 and 5 to include the name of the petitioner in the supplementary final voters list as a voter of TC 18/2365 (old TC 3/564), Muttada Division, Part 5, with Serial No. 214 as reflected in Exhibit P1, provisionally and subject to the result of this writ petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI.GEORGE POONTHOTTAM, SENIOR ADVOCATE along with M/S.NISHA GEORGE, ANSHIN K.K & SILPA SREEKUMAR Advocates for the petitioners, STANDING COUNSEL for R1, R2 & R5 and of SPECIAL GOVERNMENT PLEADER for R4, the court passed the following:

1

P.V.KUNHIKRISHNAN, J.

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Dated this the 17th day of November, 2025

O R D E R

Admit.

2. The learned Standing Counsel takes notice for respondent Nos.1,2 and 5. Special Government Pleader takes notice for respondent No.4. Issue notice through Special Messenger to the 3rd respondent.

3. A 24 year old girl is declared as a candidate of Congress Party in ward No.27 of Muttada Division of Trivandrum Corporation. Her name is included in the preliminary voters list as per Ext.P1 and the final voters list as evident by Ext.P1(a). One Mr. Dhanesh Kumar filed an objection stating that the petitioner is not an ordinary resident of Muttada ward. According to the petitioner, no

document is produced by the said Dhanesh Kumar along with Ext.P2. The petitioner produced Voters ID issued by the State Election Commission, the Aadhar Card issued by the authorities and also the Driving License. The passport is also produced by the petitioner. According to the petitioner, in all these documents, it can be seen that the petitioner is a resident of erstwhile ward No.3 and the present ward No.18. According to the petitioner, a hearing was held, based on Ext.P2 objection, as evident by Ext.P3. The definite case of the petitioner is that the complainant who submitted Ext.P2 was not even present at the time of enquiry.

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4. Now the petitioner is served with a notice stating that the petitioner's name is deleted from the voters list and the same is issued by the Electoral Registration Officer. The petitioner submitted an appeal against that order before the 5th respondent, District Collector. Petitioner apprehends that because of political influence, the 5th respondent will not entertain the appeal and there is only

four more days for the last date for submitting the nominations and on that date the Electoral roll will be freezed.

5. Considering the facts and circumstances of the case, I think, this grievance of the petitioner is to be considered by the 1st respondent itself. The 1st respondent should see that the documents produced by the petitioner is considered and thereafter pass appropriate orders. I make it clear that, a girl aged 24 years shall not be denied her right to participate in the election for technical reason. In these type of cases, the winner should be democracy and not technicality or party politics. The order shall be passed on or before 19.11.2025.

The petitioner and the 3rd respondent will appear for hearing before the 1st respondent on 18.11.2025.

Post on 20.11.2025.

Sd/-

P.V.KUNHIKRISHNAN
JUDGE

nvj

APPENDIX OF WP(C) 43131/2025

Exhibit P1	**TRUE COPY OF THE DRAFT VOTERS' LIST PUBLISHED BY THE 1ST RESPONDENT FOR ELECTION TO THE THIRUVANANTHAPURAM CORPORATION OF WARD NO. 27, MUTTADA**
Exhibit P1(a)	**COPY OF THE NOTIFICATION AND THE RELEVANT PAGE.**
Exhibit P2	**TRUE COPY OF THE COMPLAINT DATED 04.11.2025 RECEIVED THROUGH WHATSAPP AS PART OF THE HEARING NOTICE.**
Exhibit P3	**TRUE COPY OF THE NOTICE GIVEN DATED 05.11.2025.**

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