

**BEFORE THE KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM**

**PRESENT: SHRI. A. SHAJAHAN,
STATE ELECTION COMMISSIONER**

Thursday, the 22nd day of February, 2024

O.P. Nos. 02 of 2023 and 03 of 2023

O.P. No. 02 of 2023

Petitioner

: V.A. Sooraj
S/o. V.K. Achuthan Nair,
Venmelil, Aruvappulam P.O.,
Konni, Pathanamthitta

(District President,
Bharatiya Janata Party, Pathanamthitta)

(By Adv. Hari V.R.)

Respondent

: Raveendran @ Mandiram Raveendran,
S/o. Karthiyayani,
Parackkal House (Parackkal Nivas),
Mandiram, Ranni, Pathanamthitta

(Member, Ward No.04,
Ranni Grama Panchayat)

(By Adv. S. Ajith Kumar)

O.P. No. 03 of 2023

Petitioner

: V.A. Sooraj
S/o. V.K. Achuthan Nair,
Venmelil, Aruvappulam P.O.,
Konni, Pathanamthitta

(District President,
Bharatiya Janata Party, Pathanamthitta)

(By Adv. Hari V.R.)

Respondent

: Vinod A.S.
S/o. Sadasivan,
Adichinal Niravel,
Puthusserimala P.O.,
Pathanamthitta

(Member, Ward No.07,
Ranni Grama Panchayat)

(By Adv. S. Ajith Kumar)

ORDER

These are petitions filed under Section 3 of the Kerala Local Authorities (Prohibition of Defection) Act, 1999.

2. The averments in the petition in short are as follows:

The Petitioner, the District President of the Bharatiya Janata Party, Pathanamthitta, heads the coalition of the National Democratic Alliance (NDA) Pathanamthitta District; the Respondents are the members of the

Bharatiya Janata party and have contested the election as a member candidate of the Bharatiya Janata Party and hence the petitioner has the authority to file the petition for disqualifying the Respondents. The Respondent in O.P. No.02/2023 has contested and won the election to the Ward No.04 of the Panchayath of Ranni as a candidate belonged to the Bharatiya Janata Party. Election to Grama Panchayat President, Vice President was scheduled on 27.10.2022. On 22.10.2022, there arranged a meeting of the two (2) Ward members of the NDA in the Panchayath of Ranni. And in the meeting, the Respondent read over the direction in writing of the Bharatiya Janata Party to all its ward members of the Panchayath of Ranni to abstain from the voting to President and Vice President. On the same day, the petitioner has directly served the direction in writing to the respondents to abstain from voting for the post of President and Vice President. The respondent have acknowledged the same. A copy of the direction was also sent to the Grama Panchayath Secretary. The respondent on 27.10.2022 has violated the direction of the Bharatiya Janata Party under National Democratic Alliance and has voted in favour of UDF candidates in the meeting of the election for the post of President and Vice President, which is against the public will and trust of the voters of the Panchayath of Ranni. The act of the respondent amounts to defection and needs to be disqualified and the original petition is filed for those reliefs. The Respondents are members of the Bharatiya Janata Party and the State President of the Bharatiya Janata Party has suspended the Respondents for six years from the primary membership of the party.