

BEFORE THE KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM

PRESENT: SHRI. A. SHAJAHAN,
STATE ELECTION COMMISSIONER

Tuesday, the 2nd day of July, 2024

O.P. No. 30 of 2022

Petitioner

: Sunil Kumar
S/o. Mani Vettiyoor,
Padavayal, Kallamala,
Palakkad - 678 582.

(Member, Ward No.13,
Pudur Grama Panchayat)

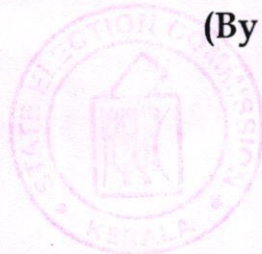
(By Adv. Geetha Nair S.)

Respondent

: Muhammad Basheer N.,
S/o. Nagoor M.,
Panamaravayal,
Swarnagadha, Pudur P.O.,
Palakkad - 678 581.

(Member, Ward No.4,
Pudur Grama Panchayat)

(By Adv. A. Rajayyan)



ORDER

This is a petition filed under section 4 of the Kerala Local Authorities (Prohibition of Defection) Act, 1999 for declaring that this respondent committed defection and hence disqualified to continue as member of Pudur Grama Panchayat and also for declaring him as disqualified to contest as candidate in any election to the local authority for a period of six years.

2. The petitioner's case in brief is as follows:- The petitioner and respondent are elected members of Pudur Grama Panchayat in the General Election held to the local authorities, during December, 2020. The petitioner was contested and elected as the official candidate of BJP in the official symbol of the party "lotus". The respondent was contested as an independent candidate, not belonging to any coalition in the symbol "tree". After the election both petitioner and respondent had given sworn declaration before the Secretary of the Pudur Grama Panchayat stating their political affiliation. In the sworn declaration respondent had stated that he is an independent member. On the basis of the same, the Secretary of the Pudur Grama Panchayat had prepared a register showing that respondent is elected as an independent candidate.
3. The total strength of seats in Pudur Grama Panchayat is 13. Out of which BJP got 4 seats, CPI (M) 3 seats, CPI 3 seats, INC 2 seats and Independent 1. Thereafter respondent was elected as Vice President of the panchayat with the support of LDF. Respondent has supported

