

BEFORE THE KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM

PRESENT: SHRI.A SHAJAHAN,
STATE ELECTION COMMISSIONER

Tuesday, the 27th day of May, 2025

O.P. No.14 of 2023, O.P. No. 15 of 2023 and O.P. No. 16 of 2023

O.P. No.14 of 2023

Petitioner

: K. Baby Sudha
W/o Sasikumar
Pattarpallam kalam,
Pallam, Muthalamada P.O.
Chittur Thaluk PIN- 678507
Palakkad District

(Member, Ward No. 01,
Muthalamada Grama Panchayath)

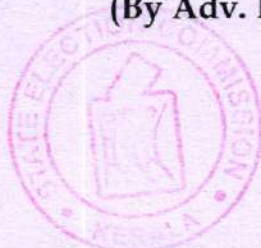
(By Adv. Kallambalam S. Sreekumar)

Respondent

: K.G. Pradeep Kumar
S/o Gopalan
Kandanchirakalam, Nandan kizhaya,
Anamari P.O. Muthalamada,
Chittur Thaluk PIN-678506
Palakkad District

(Member, Ward No. 20,
Muthalamada Grama Panchayath)

(By Adv. R. Manikantan & P. Valsala)



O.P. No. 15 of 2023**Petitioner**

: K. Baby Sudha
W/o Sasikumar
Pattarpallam kalam,
Pallam, Muthalamada P.O.
Chittur Thaluk PIN- 678507
Palakkad District

(Member, Ward No. 01,
Muthalamada Grama Panchayath)
(By Adv. Kallambalam S. Sreekumar)

Respondent

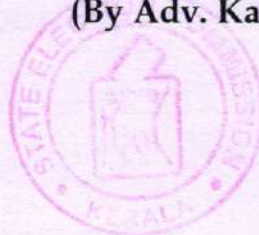
: Radha C.
W/o Sudheesh
Malayoram House,
Mallankulambu,
Muthalamada P.O.,
Muthalamada, Chittur Thaluk
PIN- 678506
Palakkad District

(Member, Ward No. 05,
Muthalamada Grama Panchayath)
(By Adv. R. Manikantan & P. Valsala)

O.P. No. 16 of 2023**Petitioner**

: K. Baby Sudha
W/o Sasikumar
Pattarpallam kalam,
Pallam, Muthalamada P.O.
Chittur Thaluk PIN- 678507
Palakkad District

(Member, Ward No. 01,
Muthalamada Grama Panchayath)
(By Adv. Kallambalam S. Sreekumar)



Respondent

: Satheesh
S/o Kuttan
Puliyamthoni,
Muthalamada P.O,
Muthalamada, Chittur Thaluk
PIN- 678507
Palakkad District

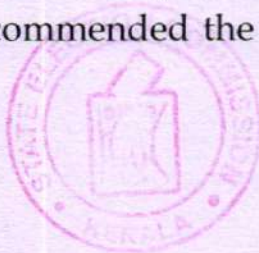
(Member, Ward No. 02,
Muthalamada Grama Panchayath)

(By Adv. R. Manikantan & P. Valsala)

ORDER

These original petitions are filed under section 4 of the Kerala Local Authorities (Prohibition of Defection) Act, 1999 for declaring that respondents herein have committed defection and hence disqualified to continue as members of Muthalamada Grama Panchayat and also for declaring them as disqualified to contest as candidate in any election to the local authorities for a period of six years.

2. The petitioner's case in brief is as follows; -Petitioner and respondents were elected as members of Muthalamada Grama Panchayat in the General Election to local authorities held in December, 2020. Petitioner is the elected member of ward No. 1 of the Muthalamada grama panchayat. Respondents in OP No. 14/2023 to 16/2023 are elected members of Muthalamada grama panchayat representing ward No.20, 05 and 02 respectively. Since question of fact and law involved in these original petitions are common, they are tried together as OP No. 14/2023 as leading case.
3. Petitioner was contested election as a candidate of Communist Party of India (Marxist) (hereinafter CPI (M)). Respondents were contested as candidates of Bhartiya Janata Party (hereinafter BJP). The District President of the BJP had recommended the official symbol of BJP to the



respondents for contesting the election. After the election all the three elected members belonging to BJP have filed sworn declarations before the Secretary of the Muthalamada grama panchayat showing their political allegiance with BJP. On the basis of the said declarations, the Secretary of the panchayat had prepared a Register showing the political affiliation of the respondents, wherein also it is stated that respondents are elected members of the BJP.

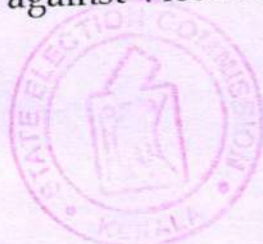
4. There are altogether 20 wards in Muthalamada grama panchayat. Out of which CPI (M) got 9 seats, Indian National Congress (hereinafter INC) got 6 seats, BJP-3 seats and Independents -2 seats. Later, an elected member of CPI (M) resigned from the membership of the panchayat and accordingly the strength of CPI (M) in the panchayat has been reduced to 8.
5. Meanwhile one of the independent members, Sri. Thajudeen representing ward No.3 moved a no confidence motion against the Vice President of the Panchayat, Sri. R Alairaj. The Officer Authorised by the Commission under section 157 of the Kerala Panchayat Raj Act, in turn issued notice to the elected members of the panchayat and convened a meeting of elected members on 04.02.2023 for considering the no confidence motion. Prior to the meeting of no confidence motion, the District President of the BJP had issued whip to the respondents directing them to abstain from participating the meeting of no confidence motion. The whip was communicated to the respondents by directly, through phone and through registered post. The copy of the whip was also communicated to the Secretary of the panchayat. Though the respondents have knowledge regarding the whip, contents of the whip and its communication to the Secretary of the panchayat, they disobeyed the whip and participated in the meeting to consider the no confidence motion held on 04.02.2023 AN and voted in favour of the no confidence motion. The INC members, respondents and 2 independent members voted in favour of the no confidence motion and consequently the no confidence motion against Vice President was carried with majority of members and Sri.R. Alairaj has been removed from the office of Vice President.



6. The respondents by their conduct voluntarily given up their membership of BJP and in collusion with INC members and independent members in the panchayat, they intentionally defied the whip issued by their political party and purposely attended the meeting for considering no confidence motion and voted in favour of the no confidence motion moved against Vice President and thereby committed defection. Respondents have voluntarily abandoned or given up their membership of BJP by attending the meeting for considering the no confidence motion held in the afternoon of 04.02.2023 and voted in favour of the no confidence motion and thereby committed defection. Acting against the party is disloyalty. The respondents are liable to be disqualified under the provisions of the Kerala Local Authorities (Prohibition of Defection) Act.
7. Respondent's case in brief is as follows; -The original petitions are not maintainable either in law or on facts. Petitioner has no cause of action against the respondents. Petitioner lacks bonafides. It is true that respondents are elected members of the Muthalamada grama panchayat representing ward No.20,05 and 02 respectively. It is also true that respondents were contested election as candidates of BJP. It is true that BJP won 3 seats in Muthalamada grama panchayat in the General Election held in December, 2020.
8. It is true that an independent member of the panchayat Sri. Thajudeen moved a no confidence motion against Vice President of the panchayat Sri. R Alairaj. The meeting for considering the said no confidence motion was scheduled to be held on 04.02.2023. However, the District President of the BJP did not issue any whip to the respondents herein directing them to abstain from the meeting of no confidence motion to be held on 04.02.2023 as alleged. It is also untrue that the whip was communicated by the District President of the BJP directly, through phone and through registered post to the respondents and the copy of the whip was communicated to the Secretary of the panchayat. No whip was actually received by the respondent prior to the voting on the no confidence motion.



9. It is false and incorrect that the respondents had knowledge regarding the whip and the contents of the whip prior to the meeting of no confidence motion. It is also incorrect that respondents have voted in favour of the no confidence motion by acting against the direction of the political party. There is no direction from the political party to the respondents to abstain from the voting of no confidence motion. The whip was served to the respondents only after the meeting of no confidence motion held on 04.02.2023. If any whip received on or before voting, respondents would have been obeyed the direction in the whip.
10. It is also false and incorrect that respondents have voluntarily given up their membership of BJP in collusion with INC members and independent members, intentionally defied the whip and purposely voted in favour of the no confidence motion and thereby committed defection. The voting in a democratic set up cannot be termed as collusion.
11. It is the policy of the BJP to oppose the CPI (M) ideologically and politically in all democratic process. Hence as a part of the policy of BJP, the respondents bonafidely believed that no confidence motion against the President and Vice President of the panchayat, who belongs to CPI (M) shall be supported and they have to be voted out. Petitioner herein was the President of the Muthalamada grama panchayat, she was removed from the office of President through no confidence motion, hence she filed this original petition to wreak vengeance against the respondents, without any factual or legal basis. Respondents have not committed any act of defection and therefore not liable to be disqualified under the Act. Petition may be dismissed with cost.
12. The evidence in this case consists of oral testimonies of PW1 to PW6, RW1 to RW3, Exhibits A1 to A9, X1 to X12.
13. Both sides were heard.
14. From the pleadings, following points arise for consideration, namely; -
 - (i) Whether respondents have been received any direction in writing (whip) issued by District President of the BJP in connection with the no confidence motion against Vice President held on 04.02.2023?



- (ii) Whether petitioner has proved the service of copy of whip to the Secretary of the panchayat as mandated under section 3 (2) of the Act in connection with the no confidence motion against Vice President?
 - (iii) Whether respondents were aware of the decision of the BJP to abstain from the meeting of no confidence motion against Vice President?
 - (iv) Whether respondents have disobeyed the decision and direction of the BJP to abstain from the no confidence motion against Vice President?
 - (v) Whether the respondents have voluntarily given up their membership of BJP as alleged.
 - (vi) Whether respondents have committed defection as contemplated under section 3 (1) (a) of the Kerala Local Authorities (Prohibition of Defection) Act?
15. Point No. (i) to (iii); - The consistent case of the petitioner is that respondents by their conduct committed defection as contemplated under section 3 (1) (a) of the Act. Section 3 (1) (a) of the Act provides that if a member of local authority belonging to any political party voluntarily gives up his membership of such political party, or if such member, contrary to any direction in writing issued by the political party to which he belongs or by a person or authority authorised by it in this behalf in the manner prescribed, votes or abstain from voting in a no confidence motion etc against President, Vice President etc, he shall be disqualified for being a member of that local authority.
16. It is settled position that ground for disqualification under the first and second limbs of clause (a) of section 3 (1) of the Act are distinct and are not interlinked. Based on the pleadings, it is pertinent to examine whether petitioner has proved the service of direction in writing to the respondents in connection with the no confidence motion against the Vice President, at the first instance.
17. Admittedly, respondents were contested and elected as candidates of BJP in the election symbol "lotus". The District President of the BJP has



recommended the election symbol of the political party to the respondents for contesting the election. As such undisputedly, the District President of the BJP is competent to issue the whip to the respondent as provided under rule 4 (1) (i) of the Kerala Local Authorities (Disqualification of Defected members) Rules. It is admitted that BJP secured 3 seats in the Muthalamada grama panchayat through the respondents.

18. In para 5 of the original petition, it is averred that, while so " an independent member by name Thajudeen M, member of ward No. 03 moved a no confidence motion against Vice President R. Alairaj and the meeting for discussing and voting in that no confidence motion was scheduled on 04.02.2023."
19. In the aftermath of no confidence motion against the Vice President, the District President of the BJP issued whip to the respondents directing them to abstain from participating in the meeting and voting in connection with no confidence motion against Vice President to be held in the afternoon of 04.02.2023. According to the petitioner, whip was communicated to the respondents by the District President of the BJP, directly, through phone and through registered post and the copy of the whip was also communicated to the Secretary of the panchayat. In para 4 of the objection respondents specifically denied the above averments that District President of the BJP had issued such a whip directing them to abstain from the voting in the no confidence motion against the Vice President.
20. As regards of the issue and service of whip to the respondents, petitioner has examined PW6, who is the District President of BJP. He admitted that no confidence motion against the President and Vice President was slated for consideration on 04.02.2023. He had issued Exts.A 4 to A6 whip to the respondents. PW6 identified Ext.A4 whip issued by him to Sri. K G Pradeep Kumar, Ext.A5 whip issued to Smt. Radha C and Ext.A6 whip issued to Sri. K Satheesh, the respondents in these original petitions. The documents marked as Exts.A4 to A6 also contains the copy of postal receipts having No. RL 510603450 IN, RL 510603596 IN and RL 510603582



in proof of despatch of the whips to the addresses of the respondents by registered post. In order to further corroborate the service of whip to the respondent's petitioner examined PW4 and PW5, who are the Postmasters of Kollamgode Post Office and Muthalamada Post Office respectively.

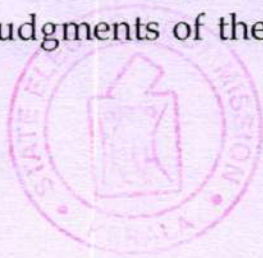
21. However, it is pertinent to note that on further verification of Ext.A4 to A6 whips produced by the petitioner, it appears that Ext.A4 to A6 whips were issued in connection with no confidence motion against the President Smt. Baby Sudha held in the forenoon of 04.02.2023 and has no connection with the no confidence motion against the Vice President Sri. Alairaj held in the afternoon of 04.02.2023. The Ext.A4 to A6 has no connection with subject matter of the present original petitions prosecuted by the petitioner. Therefore the evidence adduced by PW4 and PW5 in respect of the service of whips to the respondents has no connection or relevancy to subject matter involved in these original petitions.

22. On going through the pleading in the original petition, it seems that the cause of action against the respondents are based on their alleged conduct during the no confidence motion against Vice President Sri. Alairaj held in the afternoon of 04.02.2023. It is well settled that no evidence can be led without pleadings. However, in para 8 of the Chief affidavit filed *in lieu of* chief examination petitioner improved her case in the following manner;-

"04.06.2023 - ലെ പ്രസിഡന്റ് വൈസ് പ്രസിഡന്റ് എന്നിവർക്കെതിരെയുള്ള അവിശ്വാസ പ്രമേയ വോട്ടെടുപ്പിൽ പാർട്ടി നൽകിയ വിപ് ലംഘിക്കുകയും INC -യും സ്വതന്ത്രാംഗങ്ങളുമായി ചേർന്ന് അവിശ്വാസത്തിന് അനുകൂലമായി വോട്ടു ചെയ്യുകയും വഴി എതിർ കക്ഷികൾ BJP -യിൽ നിന്നുള്ള അംഗത്വം എതിർകക്ഷികൾ സ്വമേധയാ ഉപേക്ഷിച്ചു കൂറ്റമാറ്റം നടത്തുകയുണ്ടായി."

However, during the cross examination of petitioner as PW1, she admitted that though respondents supported the no confidence motion against President in violation of whip, petitioner did not file any petition in this regard before the Commission.

23. The basic rule governing the pleadings is founded on the principle of *secundum allegata et probate*, that no party could succeed a case by adducing evidence without support of pleadings, since the law is well settled through the judgments of the Hon'ble Supreme Court of India in



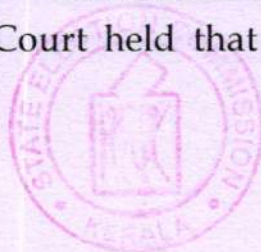
Ram Sarup Gupta (Dead) by LRS V Bishun Narain Inter College and Others (1987) 2 SCC 555 and Srinivas Raghavendraraao Desai (Dead) By Lrs V Kumar Vamanrao @ Alok & Ors (2024) 3 S.C.R 46 held that one could be permitted to let in evidence only in tune with the pleadings. Therefore, the above portion of petition's evidence, without being supported by pleadings cannot be accepted in evidence against the respondents.

24. Petitioner has not produced the whips allegedly issued by the District President of the BJP to the respondents in connection with the no confidence motion against Vice President Sri.R. Alairaj, based on which petitioner filed these original petitions. However, in para 6 of the Chief affidavit filed *in lieu of* chief examination petitioner stated that she produced the whips issued in connection with the no confidence motion against Vice President as Ext.A1 to A3. But it is perceived through naked eyes that Ext.A1 to A3 are addressed to the Secretary of the panchayat intimating the factum of issuance of whips to respondents in connection with the no confidence motion against Vice President as mandated in section 3 (2) of the Act. During the examination of PW6, petitioner has not even put a suggestion regarding whether Ext.A1 to A3 were sent to the addresses of the respondents. Therefore, there is no issue of whip to the respondents.
25. As regards of the mandatory communication of copy whip to the Secretary of the panchayat, the PW2 present Secretary of the panchayat has produced the office copy of Ext.A1 to A3 as Ext.X3. According to him the Ext.X3, the copy of direction in writing (whip) has been received in the panchayat on 04.02.2023 at 13.05 pm through e-mail. In cross examination PW2 clarified that no physical copy of Ext.A1 to A3 has been received in the panchayat. PW3, the then Officer in charge of Secretary confirmed that Ext.X3 whip was received through e mail in the panchayat just before the commencement of no confidence motion against Vice President. It was come out in evidence that the person who sent the e mail is the Office Secretary of the District President and sender's e mail address is "bjppkd@gmail.com". However, PW6 is not certain about sending of



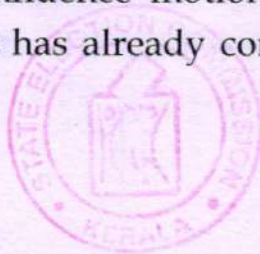
Ext.X 3 mail by his Office Secretary. Anyway, Ext.X3 whip received in the panchayat through e mail. During the marking of Ext.X3 through PW2, the respondent raised an objection as to the admissibility of Ext.X3, since it is not accompanied by a certificate under section 63 of the Bharatiya Sakshya Adhiniyam, 2023. (corresponding to section 65 B of the Indian Evidence Act, 1872)

26. The Hon'ble Supreme Court of India in *Anvar P V V P K Basheer & Ors* (2014) 11 SCR 399; 2015 (1) SCC 108 in para 14 observed that any documentary evidence by way of an electronic record under the Evidence Act, in view of section 59 and 65A, can be proved only in accordance with the procedure prescribed under section 65B. Section 65B deals with the admissibility of electronic record. The purpose of these provisions is to sanctify secondary evidence in electronic form, generated by a computer. Therefore, in the absence of a certificate under the section 63 of the Bharatiya Sakshya Adhiniyam, 2023, Ext.X3 cannot be admissible in evidence.
27. Moreover, neither PW2, the present Secretary of the panchayat nor PW3 the the Secretary of the panchayat has no case that on receipt of Ext.X3 whip, it was published in the notice Board of the panchayat for the information elected members, including the respondent. Further, PW3 the then Secretary of the panchayat, who was present in the meeting of no confidence motion, has no case that Ext.X3 whip was read out at the commencement of the meeting held on 04.02.2023 at 2 pm. There is also no recording in the Ext.X5 Minutes of the meeting that the Ext.X3 whip was read out in the meeting. It is pertinent to note that petitioner has not examined the Officer Authorised by the State Election Commission, who presided over the meeting and recorded the Ext.X5 Minutes. It is settled that if a party fails to call a relevant witness to testify, the Court may infer that missing witness's testimony would have been unfavourable to that party.
28. In *Chentharama K and Ors V Kerala State Election Commission* (2015 KHC 7086) the Hon'ble High Court held that disqualification of voluntarily



giving up of the membership of the political party to which one belongs is not dependent on any violation of the whip and as such, it is not necessary to hold that the member has violated the whip in order to conclude that he has voluntarily given up the membership of the political party to which he belongs.

29. However, in *Eruthavoor Chandran and Another V Kerala State Election Commission and Ors* (2018 (5) KHC 964) (DB) the Hon'ble High Court held that where a member of a political party is aware of the decision taken by the political party, but had failed to act in accordance with political directive, it would amount to voluntarily abandoning of the membership of the political party and he would be disqualified under section 3 (1) (a) of the Act.
30. From the foregoing discussion it clear that petitioner failed to place on record adequate materials to substantiate her case that District President of the BJP had issued whip to the respondent and it was duly served to the knowledge of the respondents or otherwise, respondents were aware of the decision taken by the political party, prior to the no confidence motion against Vice President held on 04.02.2023. Therefore, the points (i) to (iii) answered against the petitioner.
31. Points (iv) to (vi); In para 8 of the original petition, petitioner has taken a case that respondents have voluntarily abandoned their membership of the BJP, which fileded them as candidates in the General Election. Further, respondents voluntarily abandoned or given up their membership of BJP by attending the meeting for considering the no confidence motion against Vice President held in the afternoon of 04.02.2023 and voted in it and thereby committed defection.
32. Ext.X5 Minutes of the meeting would goes to show that a meeting to consider no confidence motion against Vice President was held on 04.02.2023 at 2 pm. Likewise, Ext. X7 certified copy of the Minutes of the meeting held on 04.02.2023 at 2 pm would shows that respondents voted in favour of the no confidence motion moved against Vice President Sri. Alairaj. However, it has already come out in evidence that there is



no service of whip, no communication of the alleged decision of the political party and that respondents have no knowledge regarding the stand of the political party with regard to the no confidence motion against Vice President Sri. Sri. R Alairaj, who belongs to CPI (M) political party. In the absence of any specific whip issued by their political party, respondents bonafidely believed that no confidence motion against the Vice President of the panchayat, who belongs to CPI (M) shall be supported by them and he has to be voted out. According to the respondent there is no element of disloyalty or voluntarily giving up of the membership of the BJP in their conduct. In the Chief affidavit filed by the respondents as RW1 to RW3, it is stated that

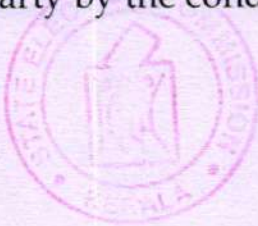
"ഞാൻ ഭാരതീയ ജനതാ പാർട്ടിയുടെ നയത്തിൽ നിന്നും വ്യതിചലിച്ചിട്ടില്ല. ഭാരതീയ ജനതാ പാർട്ടിയുടെ മെമ്പർഷിപ്പ് ഞാൻ ഉപേക്ഷിച്ചിട്ടുമില്ല. മാർക്സിസ്റ്റ് പാർട്ടിയെ തോൽപ്പിക്കുക എന്നത് ഭാരതീയ ജനതാ പാർട്ടിയുടെ എക്കാലവും ഉള്ള നയമാണ്. അതുകൊണ്ട് മാർക്സിസ്റ്റ് പാർട്ടിക്കാരായ പ്രസിഡന്റിനും, വൈസ് പ്രസിഡന്റിനും എതിരെ വോട്ട് ചെയ്തു."

33. Moreover, in para 5 of the original petition petitioner admitted that the no confidence motion against Vice President Sri. R. Alairaj, who belongs to CPI (M) was moved by an independent elected member one Sri. Thajudeen. Respondents admitted that they have supported the no confidence motion against the Vice President, who belongs to CPI (M) since it is the policy of the BJP to oppose the CPI (M) ideologically and politically in all democratic process. In cross examination PW6 District President of the BJP made it clear that

"മാർക്സിസ്റ്റ് പാർട്ടിയെ തോൽപ്പിക്കാനുള്ള എല്ലാ അവസരങ്ങളും ബിജെപി പാർട്ടി പ്രവർത്തകർ ഉപയോഗിക്കാറുണ്ട്"

34. In *Joseph KM V Babychan Mulangasseri and Others* (2015 (1) KHC 111 (DB), the Hon'ble High Court held that in the absence of floor crossing or shifting of political loyalty to any rival political party or coalition, it cannot be said that the elected members have voluntarily given up membership of that political party.

In the present case, per se no floor crossing or shifting of political loyalty to any rival political party by the conduct of the respondents.



In the above said judgment, it is further held that " In order to draw an inference that elected members have voluntarily given up membership of the political party, there must be concrete proof that they have acted in defiance of any valid directions of the political party, which should be established by positive, reliable and unequivocal evidence"

35. In *Chinnamma Varghese V. State Election Commission of Kerala* (2009 (4) KHC 527) Division Bench of High Court held that " incurring of the disqualifications under any one of the contingencies depends upon the existence of a definite set of facts, which are required to specifically pleaded before they are sought to be proved to establish the allegation of disqualification under the Act."

Therefore, the points (iv) to (vi) answered against the petitioner.

36. On appreciation of evidence on the record, it appears that petitioner has failed to prove that respondents acted in defiance of any valid directions issued by their political party and that respondents by their conduct voluntarily abandoned their membership of their political party in the meeting to consider no confidence motion against Vice President held on 04.02.2023

In the result, Original Petitions are dismissed.

Pronounced before the Commission on the 27th day of May 2025

Sd/-

A. SHAJAHAN

STATE ELECTION COMMISSIONER



APPENDIX**Witness examined on the side of the Petitioner**

- PW1 : Baby Sudha K.
PW2 : M. Prasad
PW3 : K. Santhana Gopalan
PW4 : Jyothiradithyan P.
PW5 : Viji V.
PW6 : K. M. Haridas

Witness examined on the side of the Respondent

- RW1 - K. G. Pradeep Kumar
RW2 - K. Satheesh
RW3 - Radha C

Documents produced on the side of the Petitioner

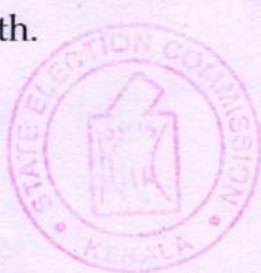
- A1 - Letter No. PKD/DP/873/01/2023 dated, 31.01.2023 from K. M. Haridas to Secretary Muthalamada Grama Panchayath intimating the issuance of whip to BJP members in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- A2 - Letter No. PKD/DP/873/01/2023 dated, 12.01.2023 from K. M. Haridas to Secretary Muthalamada Grama Panchayath intimating the issuance of whip to BJP members in connection with no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- A3 - Letter No. PKD/DP/873/01/2023 dated, 12.01.2023 from K. M. Haridas to Secretary Muthalamada Grama Panchayath intimating the issuance of whip to BJP members in connection with no-confidence motion against Vice President, Muthalamada Grama Panchayath.



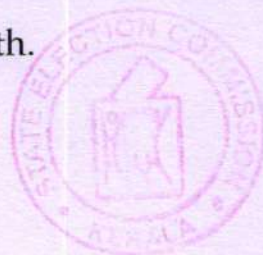
- A4 - Letter No. PKD/DP/872/01/2023 dated, 30.01.2023 issued by Sri. K. M. Haridas to Sri. K. G. Pradeep Kumar instructing to stay away from the no-confidence motion against the President, Muthalamada Grama Panchayth.
- A5 - Letter No. PKD/DP/872/01/2023 dated, 30.01.2023 issued by Sri. K. M. Haridas to Smt. Radha C, instructing to stay away from the no-confidence motion against the President, Muthalamada Grama Panchayth.
- A6 - Letter No. PKD/DP/872/01/2023 dated, 30.01.2023 issued by Sri. K. M. Haridas to Sri. K. Satheesh instructing to stay away from the no-confidence motion against the President, Muthalamada Grama Panchayth.
- A7 - Certified copy of the OP. 11 of 2023, Muthalamada Grama Panchayath, filed before the State Election Commission.
- A8 - Certified copy of the OP. 12 of 2023, Muthalamada Grama Panchayath, filed before the State Election Commission.
- A9 - Certified copy of the OP. 13 of 2023, Muthalamada Grama Panchayath, filed before the State Election Commission.

Documents produced by Witnesses

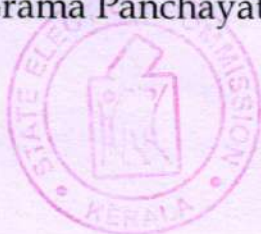
- X1 - Copy of the Declaration filed by Smt. K. Baby Sudha, Muthalamada Grama Panchayath.
- X1(a) - Copy of the Declaration filed by Sri. K. G. Pradeep kumar, Muthalamada Grama Panchayath.
- X1(b) - Copy of the Declaration filed by Smt. Radha C, Muthalamada Grama Panchayath.



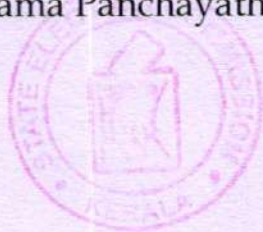
- X1(c) - Copy of the Declaration filed by Sri. Satheesh K, Muthalamada Grama Panchayath.
- X2 - Certified copy of the Register showing the party affiliation of elected members of Muthalamada Grama Panchayath.
- X3 - Copy of the letter to Secretary Muthalamada Grama Panchayath from K. M. Haridas regarding the issuance of whip to BJP members in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- X4 - Copy of the minutes of the meeting held on 04.02.2023, regarding the no-confidence motion against Smt. K. Baby Sudha, President Muthalamada Grama Panchayath.
- X5 - Copy of the minutes of the meeting held on 04.02.2023, regarding the no-confidence motion against Sri. R. Alairaj, Vice President Muthalamada Grama Panchayath.
- X6 - Copy of the Ballot paper voted by Sri. Vinesh C, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(a) - Copy of the Ballot paper voted by Smt. Nazeema C, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(b) - Copy of the Ballot paper voted by Smt. Saraswathy P, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(c) - Copy of the Ballot paper voted by Sri. K. Satheesh, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.



- X6(d)- Copy of the Ballot paper voted by Sri. Kalpana Devi, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(e) - Copy of the Ballot paper voted by Sri. M. Thajudheen, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(f) - Copy of the Ballot paper voted by Sri. Jasmine Shaik Jasmine, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(g)- Copy of the Ballot paper voted by Sri. Ratheesh kumar V, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(h)- Copy of the Ballot paper voted by Sri. K. G. Pradeep kumar, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(i) - Copy of the Ballot paper voted by Smt. Radha C, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(j) - Copy of the Ballot paper voted by Sri. Krishnamoorthy S, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(k)- Copy of the Ballot paper voted by Sri. Abdul Rahman S, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.



- X6(l) - Copy of the Ballot paper voted by Smt. Khadeeja S, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(m)- Copy of the Ballot paper voted by Smt. Sathyabhama, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(n) - Copy of the Ballot paper voted by Smt. Selvi, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(o) - Copy of the Ballot paper voted by Sri. Narayan K, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(p)- Copy of the Ballot paper voted by Smt. Shamsath Beegum J, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(q) - Copy of the Ballot paper voted by Smt. Baby Sudha K, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X6(r) - Copy of the Ballot paper voted by Sri. Alairaj R, in connection with the no-confidence motion against President, Muthalamada Grama Panchayath.
- X7 - Copy of the Ballot Paper voted by Smt. Kalpana Devi, in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.



- X7(a) - Copy of the Ballot Paper voted by Sri. K. G. Pradeep kumar, in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- X7(b) - Copy of the Ballot Paper voted by Smt. Radha C, in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- X7(c) - Copy of the Ballot Paper voted by Sri. Krishnamoorthy, in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- X7(d) - Copy of the Ballot Paper voted by Sri. Satheesh K, in connection with the no-confidence motion against Vice President, Muthalamada Grama Panchayath.
- X8 - Copy of the Registered List from Department of Post India, Palakkad RMS L2R.
- X9 - Copy of the Delivery Manifest of Kollengode S.O. -000000, Department of Post India.
- X10 - Copy of the Registered List, Palakkad RMS L2K, Department of Post India.
- X11 - Copy of the window Delivery Slip dated, 06.02.2023
- X12 - Copy of the Delivery Manifest of Narayani T.R. Department of Post India

Sd/-

A. SHAJAHAN

STATE ELECTION COMMISSIONER

//True Copy//



PRAKASH B.S
PEN No : 101452
SECRETARY
 State Election Commission
 Kerala, Thiruvananthapuram

