

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

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

**Thursday, the 7<sup>th</sup> day of March, 2024**

**O.P. No. 25 of 2022**

**Petitioner**

: P.P.Eldhose  
S/o. Pailey,  
Pulparambil House,  
Market P.O.,  
Muvattupuzha - 686 673

(Chairperson,  
Muvattupuzha Municipality)

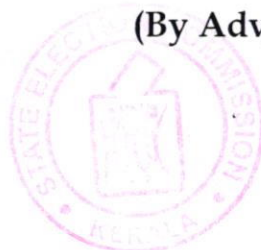
**(By Adv. S. Gopalakrishnan Nair &  
Adv.A.Santhosh Kumar)**

**Respondent**

: Prameela Gireesh Kumar  
W/o. Gireesh Kumar,  
Kulangaredathu, Randar P.O.,  
Muvattupuzha - 686 673.

(Councilor, Ward No.13,  
Muvattupuzha Municipality)

**(By Adv. P.K. Varghese)**



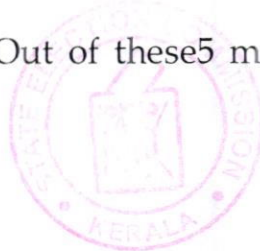
## ORDER

This is a petition filed under Section 4 of the Kerala Local Authorities (Prohibition of Defection) Act, 1999 to declare the respondent is disqualified to continue as a Councilor of Muvattupuzha Municipality and further to declare that the respondent is disqualified for a period of six years to contest any election to the Local Self Government Institutions.

2. The Petitioner's case in brief is as below:

Petitioner and respondent were elected as councilors of Muvattupuzha Municipality from ward No. 25 and 13 respectively in the general election held in 2020. Both petitioner and respondent were elected as candidates of Indian National Congress (INC) under the symbol "hand". Petitioner is the Chairperson of Muvattupuzha Municipality and also the leader of Parliamentary party of United Democratic Front (UDF). One PM Abdul Salam was also elected as Secretary and Chief whip of the UDF Parliamentary Party. After the election respondent had given a sworn declaration in Form No. 2 as per rule 3 (2) of the Kerala Local Authorities (Prohibition of Defected members) Rules before the Secretary of the Municipality stating her political allegiance as a councilor of INC. On the basis of the declaration, a Register showing party affiliation of respondent was prepared by the Secretary in Form No.1.

3. The welfare standing Committee of the Muvattupuzha Municipality consists of 5 members. Out of these 5 members 2 members belong to



UDF, 2 members belonging to LDF and 1 independent. The respondent Smt. Prameela Girishkumar and Smt Bindu Jayan Councilor of Ward No. 20 were the UDF members in the Standing Committee. In the election to the post of welfare standing committee held after general election Smt. Rajasree Raju, an independent councilor was elected as Chairperson of welfare standing committee with the support of UDF members in the standing committee. While she was continuing as Chairman of welfare standing committee, LDF members in the Standing Committee along with respondent submitted a notice of intention to move no confidence motion against Smt. Rajasree Raju, Chairman of welfare Standing Committee. The President of District Congress Committee (I), issued written direction to the members of Welfare Standing Committee belongs to INC(I) to abstain from attending and voting of no confidence motion. Parliamentary Party meeting of UDF members convened on 27.07.2022 also decided to entrust the UDF Chief Whip Sri. Abdul Salam to intimate the stand of UDF to abstain from attending and voting of non confidence motion to the respondent. He served the whip through Speed post as well as by affixture on the premises of respondent's house. In the meeting to consider no confidence motion against Chairman of Welfare Standing Committee held on 01.08.2022 respondent attended the meeting and voted in favour of the no confidence motion against the Chairman, along with LDF members in the standing committee. The no confidence motion was carried and the incumbent Standing Committee Chairperson Smt. Rajasree Raju was ousted from the post.

