

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

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

Thursday, the 7th day of March, 2024

O.P. No. 21 of 2022

Petitioner

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

(Chairperson,
Muvattupuzha Municipality)

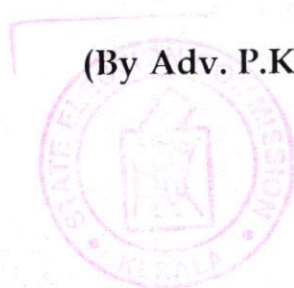
**(By Adv. S. Gopalakrishnan Nair &
Adv. A. Santhosh Kumar)**

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 are elected councilors of Muvattupuzha Municipality in the general election held in 2020. Both petitioner and respondent were elected as candidates of Indian National Congress (INC) under the symbol "hand" from Ward No.25 and 13 respectively. Petitioner is the Chairperson of Muvattupuzha Municipality and also the leader of Parliamentary party of United Democratic Front (UDF). One P.M. 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

