
(2022) 12 KL CK 0100

In the High Court Of Kerala

Case No : Writ Petition (C) No. 38988 Of 2022

**Ameen Abdullah P Returning Officer , Marthoma College Marthoma
College, Chungathara, Malappuram 679334**

Date of Decision : 08-12-2022

Acts Referred:

Citation : (2022) 12 KL CK 0100

Hon'ble Judges : Devan Ramachandran, J

Bench : Single Bench

Advocate : P.E.Sajal, Ajas K.S., Surin George, P.C.Sasidharan

Final Decision : Allowed

Judgement

Devan Ramachandran, J

1. The petitioners, who are the students of "Marthoma College", Chungathara ('College', for short) – of which 2nd respondent is the Principal, seek that the second phase of the College Union Elections be directed to be conducted, within a time frame to be fixed by this Court.

2. The afore submissions of Sri.P.E.Sajal – learned counsel for the petitioners, were answered by Sri.Surin George Ipe – learned counsel for the College, saying that, though his client has no objection in conducting the next phase of Elections, they are apprehensive because the first phase saw unprecedented violence, immediately outside the campus. He showed me that First Information Reports and complaints have been registered with the Police; and that investigation to the same is underway.

3. Sri.Surin George Ipe concluded his submissions, saying that, if this Court is so inclined, his client can certainly conduct the Elections, but that they may be given liberty to ask for sufficient police protection, as and when required.

4. Sri.P.C.Sasidharan – learned Standing Counsel for the University of Calicut (University), submitted that conduct of the second phase of Elections is to be done by the College; and that his client has no role to play at this stage.

Taking note of the afore submissions, I allow this writ petition with the following directions:

(a) The 2nd respondent – Principal is given full liberty to conduct the next phase of the Elections within the time frame fixed by the University for such purpose.

(b) If the Principal finds any reasonable cause, he shall be at full liberty to seek assistance from the jurisdictional Station House Officer; which Authority will offer all such, without any demur.