

**(2020) 11 KL CK 0107**

**In the High Court Of Kerala**

**Case No :** Writ Petition (Civil) No. 24085 Of 2020 (I)

K. Krishnankutty Nair President/Delegate To The Kerala State  
Co-Operative Baank

**APPELLANT**

**Vs**

State Co-Operative Election Commision And Ors

**RESPONDENT**

**Date of Decision :** 25-11-2020

**Acts Referred:**

**Citation :** (2020) 11 KL CK 0107

**Hon'ble Judges :** Sathish Ninan, J

**Bench :** Single Bench

**Advocate :** P.N. Mohanan, C.P. Sabari, Amrutha Suresh, K.S. Mohamad Hashim

**Final Decision :** Dismissed

## **Judgement**

1. Petitioner seeks interference with Ext.P8 election notification alleging illegality in the voter's list. As per Ext.P8 notification the election is scheduled on 26.11.2020.

2. It is trite that once the election process has commenced, the same shall not be interfered with by courts and that the disputes shall be left to be

agitated in a duly constituted election petition. In Shri Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Sanstha and Anr.

v. State of Maharashtra & Ors. [(2001) 8 SCC 509] wherein the electoral roll prepared for election to the Managing Committee of a Society was

challenged, the Apex Court held thus:-

â??..... The preparation of electoral roll is part of the election process and if there is any breach of the Rules in preparing the electoral roll, the same

can be called in question after the declaration of the result of the election by means of an election petition before the Tribunal.â??

3. In view of the law as noted, the election notification is not liable to be interfered with.

4. Though not urged as a ground in the writ petition, it is submitted by the learned counsel for the petitioner that on 26.11.2020, a nation wide strike has been called and therefore, the election has to be postponed. It is within the wisdom of the Election Commission to consider as to whether in the given circumstances polling is to be postponed or not.

The writ petition fails and is accordingly dismissed.