



2025:KER:30217

W.A.No. 677 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE S.MANU

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WA NO. 677 OF 2025

AGAINST THE ORDER DATED 28.2.2025 IN WP(C) NO.3755 OF 2025

OF HIGH COURT OF KERALA

APPELLANT/9TH RESPONDENT:

SMT. VIJAYA SIVAN
AGED 55 YEARS, (CHAIRPERSON), NEDUNKOTTIL HOUSE,
KIZHAKOMBU.P.O, KOOHATTUKULAM, PIN - 686 662

BY ADV P.C.SASIDHARAN

RESPONDENTS/PETITIONERS & RESPONDENTS 1 TO 8 AND 10:

- 1 PRINCE PAUL JOHN,
AGED 53 YEARS, S/O. V.P. JOHN, RESIDING AT
VANDAMPRAPUTHENPURAYIL (H), KOOHATTUKULAM P.O,
ERNAKULAM, PIN - 686 662
- 2 BOBAN VARGHEESE,
AGED 60 YEARS, S/O. M.J. VARKEY, MELEMANGALATHU HOUSE,
KOOHATTUKULAM P.O, ERNAKULAM, PIN - 686 662
- 3 STATE OF KERALA,
LOCAL SELF GOVERNMENT DEPARTMENT, REPRESENTED BY ITS
PRINCIPAL SECRETARY, 5TH FLOOR, SWARAJ BHAVAN,
NANTHENCODE, KOWDIAR, THIRUVANANTHAPURAM, PIN - 695 003
- 4 DISTRICT JOINT DIRECTOR, LSGD,
OFFICE OF THE JOINT DIRECTOR LSGD CIVIL STATION,
THRIKKAKARA, KAKKANAD, KOCHI, KERALA, PIN - 682 030
- 5 KOOHATTUKULAM MUNICIPALITY,



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REPRESENTED BY ITS SECRETARY, OFFICE OF THE
KOOOTHATTUKULAM MUNICIPALITY, KOOOTHATTUKULAM,
ERNAKULAM, PIN - 686 662

- 6 CHAIRPERSON,
OFFICE OF THE KOOOTHATTUKULAM MUNICIPALITY,
KOOOTHATTUKULAM, ERNAKULAM, PIN - 686 662
- 7 VICE CHAIRPERSON,
OFFICE OF THE KOOOTHATTUKULAM MUNICIPALITY,
KOOOTHATTUKULAM, ERNAKULAM, PIN - 686 662
- 8 STATION HOUSE OFFICER,
KOOOTHATTUKULAM POLICE STATION, KOOOTHATTUKULAM P.O.,
ERNAKULAM, PIN - 686 662
- 9 DEPUTY SUPERINTENDENT OF POLICE,
ERNAKULAM RURAL, ALUVA, KERALA, PIN - 683 101
- 0 STATE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY, OFFICE OF THE STATE
ELECTION COMMISSION, VIKAS BHAVAN, JANAHITHAM, NEAR
LEGISLATIVE ASSEMBLY, THIRUVANANTHAPURAM, KERALA - 695
033 [ADDL. R8 IS IMPEADED AS PER ORDER DATED 21/2/25 IN
I.A. 2/2025 OF WP (C) 3755/2025]
- 11 SUNNY KURIAKOSE
KANDATHIL HOUSE, KIZHAKOMBU P.O, KOOOTHATTUKULAM, 686662
[ADDL. R9 AND ADDL. R10 ARE IMPEADED AS PER ORDER DATED
28.02.2025 IN I.A 3/2025 OF WP(C) 3755/2025].

BY ADVS.
SRI.K.S. ARUNKUMAR
SRI. DEEPU LAL MOHAN
SRI.T.B. HOOD

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 08.04.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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JUDGMENT

Dated this the 8th day of April, 2025

Nitin Jamdar, C.J.

Heard Mr. P.C. Sasidharan, learned counsel for the Appellant, Mr. K.S. Arunkumar, learned counsel for Respondent Nos. 1 and 2, Mr. Deepu Lal Mohan, learned Standing Counsel for Respondent No. 10 and Mr. T.B. Hood, learned counsel for Respondent No. 11.

2. The Appellant is aggrieved by the order passed by the learned Single Judge dated 28 February 2025 in W.P.(C)No.3755 of 2025 impleading the Appellant and Respondent No.11 as Additional Party Respondents. The grievance of the Appellant is that the Appellant has been impleaded without giving her an opportunity to contest the impleadment and also, the order does not refer to the various contentions raised by her against the impleadment.

3. The impugned order simpliciter allows the application and directs impleadment. Various issues that the Appellant seeks to raise before us are not reflected in the order primarily because this was an order passed before issuing notice to the Appellant.

4. That being the position, the Appellant would be entitled to contest her impleadment by putting forth reasons as to why the Appellant should not be impleaded and is not a necessary or proper party. Conversely, it is



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also open to the Original Petitioners to argue to the contrary. Upon these rival contentions, it is for the learned Single Judge to take a considered decision with reasons. That opportunity being available to the Appellant, at this stage, we are not inclined to interfere with the impugned order and leave the contentions of the parties on the aspect of impleadment open.

5. The appeal is disposed of.

Sd/-

Nitin Jamdar
Chief Justice

Sd/-

S. Manu
Judge

vpv