

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition (Civil) No. 405/2023

MOHAMMED FAIZAL P.P.

Petitioner(s)

VERSUS

THE SECRETARY GENERAL

Respondent(s)

[TO BE TAKEN UP ALONG WITH SLP(Cr1) No. 1644/2023.]  
(FOR ADMISSION and IA No.64224/2023-STAY APPLICATION)

Petition(s) for Special Leave to Appeal (Cr1.) No. 1644/2023

(Arising out of impugned final judgment and order dated 25-01-2023  
in CRLMA No. 1/2023 passed by the High Court of Kerala at  
Ernakulam)

U.T. ADMINISTRATION OF LAKSHADWEEP

Petitioner(s)

VERSUS

MOHAMMED FAIZAL & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.24699/2023-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.25059/2023-EXEMPTION FROM  
FILING O.T. and IA No.24701/2023-EXEMPTION FROM FILING O.T. and IA  
No.25057/2023-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(Cr1) No. 1630/2023 (II-B)  
(IA No.24526/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.24528/2023-EXEMPTION FROM FILING O.T.)

Date : 29-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Mr. K. R. Sasiprabhu, AOR

Dr. Menaka Guruswamy, Sr. Adv.  
Mr. Fuzail Ahmad Ayyubi, AOR  
Mr. Ibad Mushtaq, Adv.  
Mr. Utkarsh Pratap, Adv.

Ms. Mukta Halbe, Adv.  
Mr. Lavkesh Bhambhani, Adv.  
Ms. Akanksha Rai, Adv.

Mr. Tushar Mehta, Solicitor General  
Mr. Km Nataraj, A.S.G.  
Mr. Akshay Amritanshu, AOR  
Mr. Anuj Udupa, Adv.

For Respondent(s)

Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Ritin Rai, Sr. Adv.  
Mr. K. R. Sasiprabhu, AOR  
Mr. Rohit Sharma, Adv.  
Mr. Amit Bhandari, Adv.  
Mr. Vishnu Sharma As, Adv.  
Mr. Koya Arafa, Adv.  
Mr. Prakhar Agarwal, Adv.  
Mr. Nikhil Purohit, Adv.  
Mr. Ashok Kumar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

WP (C) No. 405/2023

Learned senior counsel for the petitioner brings to our notice notification dated 29.03.2023 which reads as follows:

“Dated the 29<sup>th</sup> March, 2023  
Chaitra 8, 1945 (Saka)

No. 21/4(4)2023/T0(B)

**NOTIFICATION**

No. 21/4(4)/2023/T0(B) In continuation of Notification No. 21/4(1)/2023/T0(B), dated the 13<sup>th</sup> January, 2023, intimation has since been received from the High Court of Kerala that the High Court of Kerala at Ernakulam has passed an order on 25.01.2023 in CrI.M.A.No. 1 of 2023 in CrI. Appeal No. 49 of 2023, suspending the conviction and sentencing of Shri Mohammed Faizal P.P., Member of Lok Sabha representing the Lakshadweep Parliamentary Constituency of the Union Territory of Lakshadweep, which was ordered by the Judgment dated 11.01.2023 of the Court of Sessions, Kavaratti, Lakshadweep in Sessions case no. 01/2017.

2. In view of order dated 25.01.2023 of the High Court of Kerala, the disqualification of Shri Mohammed Faizal P.P., notified *vide* Gazette Notification no. 21/4(1)/2023/T0(B) dated the 13<sup>th</sup> January, 2023 in terms of the provisions of Article 102(1)(e) of the

Constitution of India read with Section 8 of the Representation of the People Act, 1951, has ceased to operate subject to further judicial pronouncements.”

In the light of this, he submits that no further orders are required to be passed in this case. The writ petition is disposed of in terms of this submission.

We make it clear that we have not actually pronounced on the maintainability of the petition as such.

SLP (Cr1.) No. 1644/2023

SLP (Cr1.) No. 1630/2023

Ten days' time is granted for production of the translation of the deposition of all relevant witnesses by the petitioner.

List on 24<sup>th</sup> April, 2023.

(NIDHI AHUJA)  
AR-cum-PS

(RENU KAPOOR)  
ASSISTANT REGISTRAR