



2026:KER:27623

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 27TH DAY OF MARCH 2026 / 6TH CHAITHRA, 1948

WP(C) NO. 12425 OF 2026

CRIME NO.198/2026 OF Guruvayoor Police Station, Thrissur

PETITIONER:

GOKUL K
AGED 30 YEARS
DISTRICT PRESIDENT, KSU S/O. BINDHU V,
KUZHIKATTIL HOUSE, HRIDHYA NAGAR, NEAR FORT GATE
BAR , KOTTAPPADI, P.O KOTTAPPADI, THRISSUR,
KERALA, PIN - 680505

BY ADVS.
SHRI.BABIN T. ANTHIKKAD
SMT.VANESHA VISWAMBARAN
SMT.RACHEL THOMAS

RESPONDENTS:

- 1 THE CHIEF ELECTION COMMISSIONER OF INDIA
ELECTION COMMISSION OF INDIA, NIRVACHAN SADAN,
ASHOKA ROAD, NEW DELHI -, PIN - 110001
- 2 THE CHIEF ELECTORAL OFFICER
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM -, PIN
- 695001
- 3 THE DISTRICT ELECTION OFFICER
THRISSUR, COLLECTORATE, AYYANTHOLE, THRISSUR -,
PIN - 680003
- 4 THE RETURNING OFFICER



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GURUVAYOOR ASSEMBLY CONSTITUENCY NO. 63, OFFICE
OF THE RETURNING OFFICER, THRISSUR, PIN - 680101

- 5 THE COMMISSIONER OF POLICE
THRISSUR CITY, POLICE COMMISSIONER OFFICE,
THRISSUR-, PIN - 680004
- 6 THE STATION HOUSE OFFICER
GURUVAYOOR POLICE STATION, THRISSUR, PIN - 680101
- 7 ADV. B. GOPALAKRISHNAN
CANDIDATE, NDA-BJP ALLIANCE, GURUVAYOOR ASSEMBLY
CONSTITUENCY NO. 63, RESIDING AT MULLAPPILLY
HOUSE, KUTTANELLUR P.O, THRISSUR DISTRICT, PIN -
680014

SMT. AMMINIKUTTY.K, SR GP, SRI. DEEPU LAL MOHAN,
SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27.03.2026, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



BECHU KURIAN THOMAS,J

WP(C) No.12425 of 2026

Dated this the 27th day of March, 2026

JUDGMENT

Petitioner seeks for the following reliefs:

"I. Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing respondents 1 to 4 to consider and dispose of the petitioner's representation dated 20.03.2026 (Exhibit-P2) within a time frame;

II. Issue order directing the respondents 1 to 4 to initiate appropriate action including disqualification proceedings against the concerned candidate;

III. Issue a writ of mandamus or any other appropriate writ, order or direction directing the 4th respondent to take immediate action against the 7th respondent for violation of the provisions of the Representation of the People Act, 1951, including rejection of the nomination of the 7th respondent contesting from Guruvayoor Assembly Constituency No. 63."

2. Petitioner claims to be a leader of a Student's Union affiliated to a political party. Petitioner alleges that the 7th respondent, who is contesting as a candidate from the Guruvayoor Assembly Constituency No.63 in Kerala has been engaging in campaign activities having a communal flavour, intended to create religious and caste-based divisions among the electorate. Reliance is placed upon an alleged campaign video, which according to the petitioner, was widely



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circulated, and contained statements that promote enmity and division among communities with the intention of influencing voters on prohibited grounds.

3. Pointing out the above aspects, petitioner approached the 1st respondent, through a representation dated 20.03.2026. According to the petitioner, despite receipt of the said representation produced as Ext.P2, no action has been initiated. The petitioner has also relied upon FIR No.198/2026 registered at the Guruvayoor Temple Police Station, at the behest of the Returning Officer itself.

4. I have heard Smt. Vanesha Viswmabaran, the learned counsel for the petitioner, Sri.Deepulal Mohan, the learned Standing Counsel for the respondents 1 to 4 and the learned Government Pleader for respondents 5 and 6. Considering the nature of the reliefs sought for and the order, I propose to issue, notice to the 7th respondent is dispensed with.

5. Since Ext.P2 representation has admittedly been received by the 1st respondent and the same is pending consideration, I am of the view that the writ petition can be disposed of with a direction, without entering into any observation on merits. This is more so since, any person aggrieved by an issue after elections are notified has to pursue his/her remedy under the provisions of the Representation of the



People Act, 1951.

6. Notwithstanding the above, since the petitioner's representation is pending consideration, the same can be disposed of in a time bound-manner. Considering the fact that the election has already been notified in Kerala, it is not appropriate for this Court to interfere, nor make any observation, that may have a bearing on the ensuing election. However, since Ext.P2 representation is pending consideration, it is only appropriate that a direction be issued to consider the same in accordance with law.

Accordingly, there will be a direction to the 1st respondent to consider and pass appropriate orders on Ext.P2 representation, as expeditiously as possible, at any rate, within a period of 2 months from the date of receipt of a copy of this judgment, after granting an opportunity of hearing to the petitioner and the 7th respondent. The petitioner shall produce a copy of the writ petition, along with a copy of this judgment for due compliance.

The writ petition is disposed of as above.

Sd/-

BECHU KURIAN THOMAS, JUDGE



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APPENDIX OF WP(C) NO. 12425 OF 2026

PETITIONER'S EXHIBITS

- Exhibit-P2 THE TRUE COPY OF THE REPRESENTATION SENT THROUGH EMAIL TO THE 1ST RESPONDENT, DATED ON 20/03/2026
- Exhibit-P3 THE TRUE COPY OF THE COMPLAINT ALONG WITH RECEIPT NO. 159960401-2026-5-00756 DATED 20.03.2026
- Exhibit-P4 THE TRUE COPY OF THE FIR IN CRIME NO.198/2026 LODGED BY THE GURUVAYOOR POLICE STATION, DATED ON 22/03/2026