

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

FRIDAY, THE 30<sup>TH</sup> DAY OF JULY 2021 / 8TH SRAVANA, 1943

WP (C) NO. 8237 OF 2021

PETITIONER:

THE STATE OF KERALA  
REPRESENTED BY THE ADDITIONAL SECRETARY TO  
THE GOVERNMENT OF KERALA,  
FOOD AND CIVIL SUPPLIES DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER

RESPONDENTS:

1 THE ELECTION COMMISSION OF INDIA  
REPRESENTED BY ITS SECRETARY GENERAL  
NIRAVACHAN SADAN, ASOKA ROAD, NEW DELHI-110 001.

2 THE CHIEF ELECTORAL OFFICER OF KERALA,  
NIYAMASABHA COMPLEX,  
THIRUVANANTHAPURAM-695 033.

BY ADV SHRI.DEEPU LAL MOHAN, SC,  
ELECTION COMMISSION OF INDIA

OTHER PRESENT:

SRI.MANU.V, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
30.07.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

**Dated this the 30<sup>th</sup> day of July 2021**

The writ petition has been filed by the State at the time when the Election was in progress and the prayer was to quash Ext.P7 communication in so far as it defers the proposal for distribution of 10kg rice at the rate of Rs.15/kg to Non Priority Ration Card Holders of the Petitioner State during the months of March and April, 2021. On the basis of the interim order issued by this Court, the relief has already been granted and all that remains is to make the interim order absolute.

In the above circumstances, the writ petition is closed making the interim order absolute.

**Sd/-**

**T.R.RAVI**

**JUDGE**

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APPENDIX OF WP(C) 8237/2021

PETITIONER'S EXHIBITS

EXHIBIT P1                   A TRUE PHOTOCOPY OF GO(RT) NO.119/2020/F & CSD DATED 04.05.2020.

EXHIBIT P2                   A TRUE PHOTOCOPY OF GO(RT) NO.198/2020/F & CSD DATED 21.07.2020.

EXHIBIT P3                   A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE BUDGET SPEECH 2021 PRESENTED BY THE MINISTER FOR FINANCE, GOVERNMENT OF KERALA, IN RELATION TO FOOD SECURITY.

EXHIBIT P4                   A TRUE PHOTOCOPY OF GO(MS) NO.5/2021/F & CSD DATED 04.02.2021.

EXHIBIT P5                   A TRUE PHOTOCOPY OF LETTER NO.437/6/1/ECI/INST/FUNCT/MCC/2021 DATED 26TH FEBRUARY 2021 OF THE ELECTION COMMISSION OF INDIA.

EXHIBIT P6                   A TRUE PHOTOCOPY OF THE LETTER NUMBER CDN4/53/2021/GAD DATED 16.03.2021 ISSUED BY THE SECRETARY, GENERAL ADMINISTRATION DEPARTMENT, GOVERNMENT OF KERALA TO THE SECOND RESPONDENT TOGETHER WITH THE PAGE CONTAINING THE PROPOSALS 16 TO 19.

EXHIBIT P7                   A TRUE PHOTOCOPY OF LETTER NO.1540(188)EL4/2021/ELEC DATED 23.03.2021 OF THE SECOND RESPONDENT TOGETHER WITH THE PROPOSALS 16 TO 19.

EXHIBIT P8                   A TRUE PHOTOCOPY OF THE JUDGMENT DATED 21.03.2011 OF THIS HONOURABLE COURT IN WRIT PETITION (CIVIL) NO.8178 OF 2011.

EXHIBIT P9                   A TRUE PHOTOCOPY OF THE ORDER OF THE HONOURABLE APEX COURT IN SPECIAL LEAVE TO APPEAL(C) 8891 OF 2011

EXHIBIT P10                  A TRUE PHOTOCOPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN K.M.BABU V. ELECTION COMMISSION OF INDIA AND OTHERS (2006 KHC 364).

RESPONDENT'S EXHIBITS      NIL

//TRUE COPY//

PA TO JUDGE