



2025:KER:87241

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

FRIDAY, THE 14TH DAY OF NOVEMBER 2025 / 23RD KARTHIKA, 1947

WP(C) NO. 42591 OF 2025

PETITIONER

STATE OF KERALA, REPRESENTED BY THE CHIEF
SECRETARY TO THE GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001

BY ADVS.
GOVERNMENT PLEADER
SHRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL
SHRI.V.MANU, SPL.G.P. TO A.G.
SHRI.BIJOY CHANDRAN, SENIOR G.P.

RESPONDENTS:

- 1 THE ELECTION COMMISSION OF INDIA,
REPRESENTED BY ITS SECRETARY,
NIRAVACHAN SADAN,
ASOKA ROAD, NEW DELHI, PIN - 110001
- 2 THE SECRETARY,
ELECTION COMMISSION OF INDIA,
NIRAVACHAN SADAN,
ASOKA ROAD, NEW DELHI, PIN - 110001



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- 3 THE CHIEF ELECTORAL OFFICER,
KERALA LEGISLATIVE COMPLEX, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, PIN - 695033
- 4 KERALA STATE ELECTION COMMISSION, REPRESENTED BY
ITS SECRETARY,
JANAHITHAM, T.C.27/6(2), VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033
- 5 THE SECRETARY,
KERALA STATE ELECTION COMMISSION, JANAHITHAM,
T.C.27/6(2), VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033

BY ADVS.
SHRI.M.AJAY, SC, ELECTION COMMISSION OF INDIA
SHRI.DEEPULAL MOHAN, SC,
STATE ELECTION COMMISSION, KERALA

OTHER PRESENT:

SRI. RAKESH DWIVEDI, SRI. EKALAVYA DWIVEDI, SRI.
KUMAR ITSAR, SRI. SHAKTHI SHARMA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13.11.2025, THE COURT ON 14.11.2025 DELIVERED THE
FOLLOWING:



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V.G.ARUN, J

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W.P.(C).No.42591 of 2025

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Dated this the 14th day of November, 2025

JUDGMENT

The State of Kerala has approached this Court seeking deferment of the Special Intensive Revision (SIR) of the electoral rolls in the State till 21.12.2025, i.e; till completion of the process of the 2025 General Elections to the Local Self Government Institutions in the State.

2. On the court raising a query as to how the writ petition can be entertained when the validity of the SIR is being considered by the Supreme Court, the learned Advocate General replied that, by its interim order dated 11.11.2025, the Supreme Court has only requested the jurisdictional High Courts to keep in abeyance/defer the writ proceedings, if any, filed in the High Courts touching the validity of the SIR of



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electoral rolls in their respective States. It is contended that in the instant writ petition, the State is not challenging the validity of the SIR and the prayer is only to defer the process till elections to the local bodies are completed.

3. Per contra, Senior Advocate Rakesh Dwivedi, appearing for the Election Commission of India submitted that some of the petitioners before the Supreme Court are also seeking deferment of the SIR process citing inclement weather and other such reasons.

4. Although contentions on merits are urged by both sides, I am not delving into those arguments, being of the considered view that it will be inappropriate for this Court to entertain the writ petition by interpreting the interim order of the Supreme Court and holding the prayer for deferment to be entertainable, *de hors* the pendency of the challenge against the validity of the SIR itself. Judicial discipline and comity also require this Court to refrain from entertaining the writ petition.



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For the aforementioned reasons, the writ petition is closed, leaving it open for the petitioner to move the Supreme Court or to approach this Court depending on the outcome of the petitions pending before the Apex Court.

sd/-
V.G.ARUN, JUDGE

sj



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APPENDIX OF WP(C) 42591/2025

PETITIONER EXHIBITS

- Exhibit P1 A TRUE PHOTOCOPY OF THE PRESS RELEASE
DATED 10.11.2025 ISSUED BY THE FOURTH
RESPONDENT KERALA STATE ELECTION
COMMISSION
- Exhibit P2 A TRUE PHOTOCOPY OF THE ELECTION
PROGRAMME FOR THE GENERAL ELECTION-2025
PUBLISHED BY THE FOURTH RESPONDENT
KERALA STATE ELECTION COMMISSION
- Exhibit P3 A TRUE PHOTOCOPY OF THE ORDER NO.
23/ERS/2025 DATED 24.06.2025
- Exhibit P4 A TRUE PHOTOCOPY OF THE DETAILED
GUIDELINES FOR SPECIAL INTENSIVE
REVISION ISSUED BY FIRST RESPONDENT
ELECTION COMMISSION OF INDIA
- Exhibit P5 A TRUE PHOTOCOPY OF THE LETTER NO.
23/2025-ERS (VOL.II) DATED 27.10.2025
ISSUED BY THE SECRETARY OF THE FIRST
RESPONDENT ECI TO THE CHIEF ELECTORAL
OFFICERS OF KERALA AND 9 OTHER STATES AS
WELL AS 3 UNION TERRITORIES WITHOUT
ANNEXURES
- Exhibit P6 TRUE PHOTOCOPY OF THE G.O(RT) NO.
588/2025/ELECTIONS DATED 03.11.2025
ISSUED BY THE CHIEF ELECTORAL OFFICER OF
THE STATE
- Exhibit P7 A TRUE PHOTOCOPY OF THE G.O.(RT) NO.
594/2025/ELECTIONS DATED 03.11.2025
ISSUED BY THE CHIEF ELECTORAL OFFICER OF
THE STATE
- Exhibit P8 A TRUE PHOTOCOPY OF THE ORDER NO.
B2/101/2025-SEC -PART (1) DATED
04.11.2025 THE FOURTH RESPONDENT KERALA
STATE ELECTION COMMISSION



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Exhibit P9

A TRUE PHOTOCOPY OF THE D.O. LETTER
NO.152/CS/2025/CSO DATED 05.11.2025 FROM
THE CHIEF SECRETARY OF THE STATE
ADDRESSED TO THE CHIEF ELECTION
COMMISSIONER OF THE ELECTION COMMISSION
OF INDIA

Exhibit P10

A TRUE PHOTOCOPY OF THE PRESS NOTE NO.
ECI/PN/348/2025 DATED 04.11.2025