

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 1133/2025

P.K. KUNHALIKUTTY

Petitioner(s)

VERSUS

ELECTION COMMISSION OF INDIA & ANR.

Respondent(s)

(IA No. 298260/2025 - EXEMPTION FROM FILING O.T. and IA No. 298259/2025 - STAY APPLICATION)

WITH

W.P.(C) No. 1135/2025 (PIL-W)

(IA No. 298644/2025 - EX-PARTE STAY and IA No. 298645/2025 - EXEMPTION FROM FILING O.T.)

W.P.(C) No. 1137/2025 (PIL-W)

(IA No. 299301/2025 - STAY APPLICATION)

WITH

ITEM NO. 40

Writ Petition(s) (Civil) No(s). 1136/2025

AND

ITEM NO. 47

Writ Petition(s) (Civil) No(s). 1160/2025

(IA No. 304081/2025 - EXEMPTION FROM FILING O.T.)

Date : 02-12-2025 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Mr. Abhishek Manu Singhvi, Sr. Adv.

Mr. Usman Ghani Khan, AOR

Mr. Muhammad Ali Khan, Adv.

Mr. Amit Bhandari, Adv.

Mr. Omar Hoda, Adv.

Ms. Eesha Bakshi, Adv.

Mr. Uday Bhatia, Adv.

Mr. Kamran Khan, Adv.

Mr. Surya Kiran Singh, Adv.

Mr. Aviral Jain, Adv.

Ms. Pragya, Adv.

Ms. Ayesha Khan, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. P V Surendranath, Sr. Adv.
Mr. G. Prakash, AOR
Mrs. Beena Prakash, Adv.
Mr. Jishnu M L, Adv.
Ms. Priyanka Prakash, Adv.
Mr. Anoop R, Adv.
Mr. Manu Krishnan, Adv.
Mr. Sawan Kumar Shukla, Adv.
Mr. Akash Dikshit, Adv.

Mr. Haris Beeran, Adv.
Mr. Azhar Assees, Adv.
Mr. Anand B. Menon, Adv.
Ms. Rizwana R. Raj, Adv.
Mr. Shaswat Jena, Adv.
Mr. Radha Shyam Jena, AOR

For Petitioner(s)
in Item 40

Mr. Kapil Sibal, Sr. Adv.
Mr. C. K. Sasi, AOR
Dr. Kk Geetha, Adv.
Ms. Meena K Poullose, Adv.
Ms. Aparajita Jamwal, Adv.

For Petitioner(s)
in Item 47

Mr. Sriram P., AOR

For Respondent(s) : Mr. Maninder Singh, Sr. Adv.

Mr. Rakesh Dwivedi, Sr. Adv.

Mr. Eklavya Dwivedi, AOR

Mr. Joby P. Varghese, AOR

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

1. This batch of writ petitions has been preferred at the instance of the State of Kerala, some political parties, and individuals, including public representatives. All of them have, at this stage, without prejudice to their right to challenge the very initiation of the Special Intensive Revision (SIR), filed these writ petitions seeking a direction to the Election Commission of India to defer the submission of Enumeration Forms for the purpose

of the SIR until the local body elections in the State of Kerala are completed.

2. During the course of hearing, we are informed by the learned State counsel as well as Mr. Ranjit Kumar, learned senior counsel representing one of the political parties, that the elections of the local bodies will be concluded on 13.12.2025 or shortly thereafter, once the process of counting is complete.

3. Per contra, Mr. Rakesh Dwivedi and Mr. Maninder Singh, learned senior counsel(s) representing the Election Commission of India, contend that the process of filling out Enumeration Forms does not hinder the smooth conduct of local elections because the State of Kerala has allocated a dedicated staff of 1,76,000 personnel to the State Election Commission for conducting the local body elections. Additionally, a separate team of 25,468 has been assigned to the Election Commission of India for completing the exercise of filling the enumeration forms. This exercise has been extended beyond the initial timeline and is now scheduled to be finished by 11.12.2025. Mr. Rakesh Dwivedi and Mr. Maninder Singh have also informed us that over 98% of the enumeration forms have already been distributed, and approximately 80% have been digitized.

4. Learned counsel for the State Election Commission, on instruction, has also stated that given the allocation of staff to the State Election Commission, as referred to above, the Commission is completing the ongoing local body elections smoothly without any impediment caused by a shortage of staff.

5. Learned State counsel, Mr. Ranjit Kumar, learned senior counsel, and other learned counsel representing the petitioners,

submit that some political workers, employees, and local residents are fully occupied with the ongoing local body elections. They argue that if the deadline to submit the enumeration forms under the SIR is extended beyond 13.12.2025, it will enable them to submit their respective forms.

6. It seems to us that the aforementioned request is just and fair, and it warrants due consideration by the Election Commission of India. We, therefore, permit the State of Kerala to submit a request-cum-proposal to the Election Commission of India outlining all the reasons why the last date for submission of the enumeration forms may be required to be extended by about a week or so.

7. Let such a request be submitted to the Election Commission of India, if it has not already been submitted, by tomorrow, i.e., 03.12.2025, 05:00 p.m. We are confident that the Election Commission of India will consider this request objectively and sympathetically and pass an appropriate order within the next two days.

8. Post these matters on 09.12.2025 (NMD).

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR