

**Title:** Regarding judgement of the High Court of Kerala relating to the local body elections.

SHRI N.N. KRISHNADAS (PALGHAT): Sir, I would like to bring a very serious matter to the notice of this august House. The process for the local body elections in Kerala is going on smoothly. The proposed time for the election is third week of September. But yesterday the hon. High Court of Kerala has given a judgement \* The judgement was that State Election Commission has no power in â€¦...(*Interruptions*)

SHRI PRAMOD MAHAJAN: Sir, I do not know whether the criticism of the High Court's judgement as \* is allowed or not under the rules. I do not have any objection if it is allowed. I am not opposing what you say. ...(*Interruptions*) I am neither supporting it nor opposing it. ...(*Interruptions*)

SHRI N.N. KRISHNADAS (PALGHAT): Sir, I do not want to create any controversy. ...(*Interruptions*)

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\*Expunged as ordered by the Chair.

MR. SPEAKER: Normally, there is no practice in the House to criticise judgment of the Court.

...(*Interruptions*)

SHRI N.N. KRISHNADAS : Sir, let me elaborate it. According to article 243 of the Constitution,

"(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies made or purporting to be made â€¦. " â€¦..*(Interruptions)*

SHRI PRAMOD MAHAJAN: Sir, I have a very serious objection. If the High Court has given any decision which is not proper, then you can go to the Supreme Court. ...(*Interruptions*) The House cannot do anything in this.

SHRI N.N. KRISHNADAS : This House is the supreme law-making body of the country.

SHRI PRAMOD MAHAJAN: It is a law making body but not the law interpreting body. ...(*Interruptions*)

SHRI N.N. KRISHNADAS : This law was passed by the House. ...(*Interruptions*)

SHRI PRAMOD MAHAJAN: You cannot use this House to pressurise the courts. It is almost like pressurising the courts. It is very unfortunate....(*Interruptions*) This should be taken out of the records. ...(*Interruptions*)

MR. SPEAKER: Shri Krishnadas, first of all you hear me. The normal practice in the judiciary is, if you are not satisfied with a judgement in the lower or the High Court, you file an appeal in the Supreme Court. You are not to criticise the judgement of the High Court.

...(*Interruptions*)

SHRI N.N. KRISHNADAS : The Advocate-General of Kerala has pointed out this article before the High Court but the hon. Justice has mentioned...(*Interruptions*) This is a very serious matter....(*Interruptions*)

SHRI PRAMOD MAHAJAN: There is no other way. They should go to the Supreme Court....(*Interruptions*)

SHRI N.N. KRISHNADAS : Yes, they are going....(*Interruptions*)

SHRI PRAMOD MAHAJAN: We are a law-making body. We make laws....(*Interruptions*)

MR. SPEAKER: There is a certain procedure. You cannot discuss everything in the House.