

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Crl.MC.No. 2566 of 2015 ()

AGAINST THE ORDER DATED 10.03.2015 OF THE SUB DVL.MAGISTRATE, ALAPPUZHA

PETITIONER(S)/ACCUSED :

**SASIDHARAN, AGED 50 YEARS
S/O.NARAYANAN ASSARI, MANGALAPPALLI, KIDANGARA MURI
VELIYANADU VILLAGE, ALAPPUZHA.**

BY ADV. SRI.B.PRAMOD

RESPONDENT(S) :

- 1. THE SUB DIVISIONAL MAGISTRATE, ALAPPUZHA.**
- 2. BABITHA BALACHANDRAN,
CHALUNALPATHILCHIRA, KIDANGARA MURI,
VELIYANADU VILLAGE, ALAPPUZHA.**

R1 BY SMT.S.HYMA, PUBLIC PROSECUTOR

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
03-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

AMV

: 2 :

Crl.MC.No. 2566 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNEXURE I : COPY OF THE BASIC TAX RECEIPT DATED 19-3-2015.

**ANNEXURE II : COPY OF THE ORDER DATED 10-03-2015 PASSED BY THE
SUB DIVISIONAL MAGISTRATE, ALAPPUZHA.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

AMV

ALEXANDER THOMAS, J.

Crl.M.C. No.2566 of 2015

Dated this the 3rd day of June, 2015

ORDER

The order under challenge is Annexure-II order dated 10.03.2015 passed by the 1st respondent/Sub Divisional Magistrate, Alappuzha.

2. Today, on instructions of the Sub Divisional Magistrate, Alappuzha, it is submitted by the learned public prosecutor that, the said Executive Magistrate has passed another order on 29.05.2015, directing the parties to maintain status quo in a competent civil court decides on the merits of the case, as it was convinced that if the petitioner herein is allowed to complete the construction of the compound wall, it will prevent the freedom of movement of the 2nd respondent/Babitha and her family, which may cause law and order unrest in the region etc.

4. The learned public prosecutor will serve a copy of the aforesaid order said to have been passed on 29.05.2015 of the Sub Divisional Magistrate, to the

learned counsel appearing for the petitioner in this case within two days from today.

3. Sri.B.Pramod, the learned counsel for the petitioner submits that this criminal miscellaneous case may be closed with liberty to the petitioner to make a fresh challenge on the proceedings including the one based on the order dated 29.05.2015 passed by the Sub Divisional Magistrate.

In view of these aspects, this Crl.M.C., is closed with liberty to the petitioner to work out his remedies in accordance with law.

sd/-
ALEXANDER THOMAS
JUDGE.

AMV/04/06/