

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

OP(Crl.).No. 89 of 2015 (Q)

**AGAINST THE ORDER/JUDGMENT IN CMP 1684/2013 of CHIEF JUDL.MAGISTRATE,
ERNAKULAM DATED 21-05-2013**

PETITIONER:

**K.K. MADHUSOODHANAN, AGED 46 YEARS
S/O.A.G.KUMARA MENON, ARTHANAT HOUSE
KADUNGAMANGALAM DESHAM, KURIKKAD VILLAGE
KANAYANNUR TALUK, ERNAKULAM(DIST.).**

BY ADV. SRI. K.K. MADHUSOODHANAN(PARTY IN PERSON

RESPONDENT(S)

- 1. MR. SURESH,
SHOWROOM MANAGER, M/S.FOCUZ MOTORS, FOCUZ TOWER
EDAPPALLY, KOCHI-682024.**
- 2. THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM-695001.**
- 3. THE DISTRICT COLLECTOR,
OFFICE OF DISTRICT COLLECTOR, ERNAKULAM-682030.**
- 4. THE CIRCLE INSPECTOR OF POLICE,
OFFICE OF THE CIRCLE INSPECTOR OF POLICE
KALAMASSERY-683104.**

R2 TO R4 BY GOVERNMENT PLEADER SMT.S.HYMA

**THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 22-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 A TRUE COPY OF RECEIPT FROM JOB CONSULTANCY DT.25.05.09
EXT.P2 A TRUE COPY OF PHARMACY SLIP FROM LISIE HOSPITAL, ERNAKULAM
DT.17.09.09
EXT.P3 A TRUE COPY OF RGN.CARD AND MEDICINE PRESCRIPTION SLIP FROM
SHANMUGHA HOSPITAL, SALEM, TAMILNADU DT.25.10.09
EXT.P4 A TRUE COPY OF THE PROMISSORY NOTE GAVE TO
MR.MUSTAFA, PARAMOUNT GENTS HOSTEL, KALOOR, EKM.TOWARDS RENT
DUES, DT.22.02.11
EXT.P5 A TRUE COPY OF HON'BLE C.M.'S ORDER FOR ENQUIRY AND ACTION
AGAINST SUSPECT NUMBER OF PETITIONER'S FATHER DT.21.06.11
EXT.P6 A TRUE COPY OF WOUND CUM DISCHARGE CERTIFICATE FROM MEDICAL
TRUST HOSPITAL, ERNAKULAM DT.15.07.11
EXT.P7 A TRUE COPY OF LAB REPORT AND MEDICINE PRESCRIPTION SLIP OF
DR.STEPHEN PEYOLI DT.04.03.12
EXT.P8 A TRUE COPY OF ORDER OF ADDITIONAL DISTRICT MAGISTRATE FOR
ENQUIRY AND ACTION DT.08.03.12
EXT.P9 A TRUE COPY OF ORDER OF DISTRICT COLLECTOR TO
SUPERINTENDENT, GENERAL HOSPITAL, ERNAKULAM DT.12.03.12
EXT.P10 A TRUE COPY OF COLLECTOR'S REPEATED ORDER IN THE SAME
COMPLAINT OF PETITIONER TO SUPTD., GENERAL HOSPITAL, ERNAKULAM
EXT.P11 A TRUE COPY OF ORDER OF HON'BLE STATE HOME MINISTER FOR
ENQUIRY AND ACTION DT.16.10.12
EXT.P12 A TRUE COPY OF PETITIONER'S COMPLAINT AND WHICH ORDER OF
HON'BLE REGISTRAR (SUBORDINATE JUDICIARY) TO C.J.M, EKM DT.20.03.13
EXT.P13 A TRUE COPY OF ORDER OF HON'BLE HIGH COURT TO PETITIONER TO
GET LEGAL AID FROM KELSA IN HIS W.P.OF SAME GRIEVANCE DT.15.07.13
EXT.P14 A TRUE COPY OF ADVERTISEMENT GIVEN IN MATHRUBHUMI DAILY FOR
PETITIONER'S MARRIAGE PROPOSAL DT.04.03.07
EXT.P15 A TRUE COPY OF REPLIES GOT BY PETITIONER IN REGARD TO HIS
MARRIAGE PROPOSAL ADVERTISEMENT IN MATHRUBHUMI DAILY
EXT.P16 A TRUE COPY OF ORDER OF COLLECTOR TO VILLAGE OFFICER FOR
ENQUIRY OF LAND DISPUTE DT.25.09.12
EXT.P17 A TRUE COPY OF ORDER OF COLLECTOR TO DISTRICT SOCIAL JUSTICE
OFFICE FOR THE ABOVE DT.25.07.14
EXT.P18 A TRUE COPY OF RESUME OF PETITIONER FOR SEEKING JOB SINCE
MARCH, 2014
EXT.P19 A TRUE COPY OF CMP:1684/13 DT.21.05.13.

RESPONDENT(S)' EXHIBITS

NIL.

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///True copy///

P.S. to Judge

ALEXANDER THOMAS, J.

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O.P(Crl). No.89 of 2015

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Dated this the 22nd day of May, 2015

J U D G M E N T

This O.P.(Crl.) has been filed seeking invocation of visitorial jurisdiction of superintendence conferred on this Court as per provisions of Art.227 of the Constitution of India, inter alia, with the prayer for a direction to the Chief Judicial Magistrate's Court, Ernakulam for speedy disposal of the petitioner's grievances as pointed out in the petition and for direction to the Chief Judicial Magistrate, Ernakulam to report the progress lag of the petitioner's case, Criminal Miscellaneous Petition No.1684/2013 dated 21.5.2013, etc.

2. This Court as per order dated 16.3.2015 had called for a report from the Chief Judicial Magistrate's Court, Ernakulam, regarding the necessary details of the matter including the present stage of the Criminal Miscellaneous Petition No.1684/2013, etc.

3. The office of the Chief Judicial Magistrate's Court, Ernakulam, as per letter dated 9.4.2015 has reported before the Registry of this Court that Criminal Miscellaneous Petition

No.1684/2013 was filed by the complainant, Sri.Madhusoodhanan, alleging threat against the life of the petitioner by the neighbours, employees of the BSNL and strangers without furnishing the address of the alleged respondents and that the matter was posted on 21.5.2013 for hearing the maintainability of the complaint and several postings were given for hearing. Thereafter, the present incumbent has taken charge as the CJM, Ernakulam and the case has come up before the court below on 11.6.2014, etc. That there was no representation on the side of the petitioner on 11.6.2014, 24.7.2014, 23.10.2014 and 28.11.2014 and finally the complaint was rejected on 28.11.2014, etc.

4. This Court as per order dated 8.5.2015 had given time to the petitioner to verify as to whether the said Criminal Miscellaneous Petition No.1684/2013 was already rejected on 28.11.2014 as stated in the aforementioned report. Today when the matter is taken up for consideration, the party in person, who has appeared, has not raised dispute about the correctness of the aforementioned information conveyed by the C.J.M. Ernakulam, that Criminal Miscellaneous Petition No.1084/2013 was rejected on 28.11.2014.

In the facts and circumstances of the case, it is ordered that the O.P(Crl) is closed with liberty to the petitioner to work out his remedies strictly in accordance with law.

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Sd/-
ALEXANDER THOMAS, JUDGE

///True copy///

P.S. to Judge