

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. 120 of 2015 (Q)

AGAINST THE ORDER/JUDGMENT IN CC 2228/2014 of J.M.F.C.-III, PUNALUR

PETITIONER(S)/COMPLAINANT:

**SUKU KUNJAPPAN, AGED 50 YEARS
AGED 50 YEARS, S/O.LATE KUNJAPPAN, KANDAMATH HOUSE
PUTHAYAM, ALAYAMON VILLAGE, PUNALUR TALUK
KOLLAM DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU**

RESPONDENT(S)/STATE/ACCUSED NOS.1 AND 2:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA
ERNAKULAM.**
- 2. LEELAMMA,
AGED 68 YEARS, W/O.RAVEENDRAN PILLAI
BHAGAVATHI VILASOM PUTHEN VEEDU
BHARANICKAVU PUNALUR VILLAGE, KOLLAM DISTRICT.**
- 3. MINI BABU,
VELLAPLACKAL VEEDU, CHEMMANTHOOR, PUNALUR VILLAGE
KOLLAM DISTRICT.**

R1 BY GOVERNMENT PLEADER SMT.SAREEJA GEORGE

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

O.P(CRL) NO.120/2015.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1. COPY OF THE COMPLAINT FILED BEFORE J.F.C.M.,C-III, PUNALUR.
- P2. COPY OF THE FIR IN CRIME NO.698/2014 OF PUNALUR POLICE STATION.
- P3. COPY OF THE O.P(BRC) NO.5/2014 FILED BY PETITIONER'S MOTHER BEFORE RENT CONTROL COURT, PUNALUR.

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.120 of 2015

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Dated this the 22nd day of May, 2015

J U D G M E N T

The prayers in this O.P(Crl) filed seeking the invocation of the visitorial and also powers of superintendence of this Court conferred under Art.227 of the Constitution of India, are as follows:

“i) Direct the Judicial First Class Magistrate Court-III, Punalur to try and dispose of C.C.No. 2228/2014 on its file within a time frame and

ii) Pass such other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. This Court as per order dated 10.4.2015 had directed the Registry to get a report from the court below concerned regarding the total pendency of cases in that court and the present stage of C.C.No. 2228/2014 and also the reasonable time required for disposal of the same.

The office of the Court of Judicial First Class Magistrate No.III, Punalur, as per letter dated 12.5.2015 has submitted a report to the Registry stating that the over all pendency of cases in that court as in May 2015, is 11381 cases and the present stage of C.C.No.

2228/2014 is that summons was issued to the accused on 14.1.2015 to appear before the court below on 21.2.2015 and on 22.2.2015 the case was notified to 15.7.2015 and that minimum time of six months is required for disposal of the same.

3. Having heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent-State of Kerala, it is ordered in the interest of justice that the court below concerned will take all reasonable endeavours that are possible under the circumstances, to ensure that Calendar Case, C.C.No.2228/2014 pending on the file of that court be disposed of without much delay and it is hoped and expected that the case is disposed of within the time limit now suggested by the court below.

With these observations and directions, the O.P(Crl) stands finally disposed of.

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///True copy///

Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge