

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No.3635 of 2015 (D)

PETITIONER:

**RAJU. D VALLIKAPPAN,S/O.V.D.VALLIKAPPAN,
AGED 80 YEARS,VALLIKAPPIL HOUSE,KALKUNDU POST,
KARUVARAKUNDU,MALAPPURAM DISTRICT.**

BY ADV.SRI.VINOD VALLIKAPPAN

RESPONDENT'S:

- 1. THE CHIEF SECRETARY,STATE OF KERALA,
SECRETARIAT,THIRUVANANTHAPURAM-695001.**
- 2. T.USMAN,S.I OF POLICE,FORMER STATION HOUSE OFFICER,
KARUVARAKUNDU POLICE STATION,
MALAPPURAM DISTRICT-676523.**
- 3. P.D.PHILIP,THE PROJECT DIRECTOR,
POVERTY ALLEVIATION UNIT,DISTRICT PANCHAYATH,
P.O BOX 9,MALAPPURAM DISTRICT-676523.**
- 4. N.ANILKUMAR,THE ASSISTANT EXECUTIVE ENGINEER,
OFFICE OF THE PROJECT DIRECTOR,
POVERTY ALLEVIATION UNIT,DISTRICT PANCHAYATH,
P.O BOX 9,MALAPPURAM DISTRICT-676523.**
- 5. VASANTHI K.K.,EXECUTIVE ENGINEER,
OFFICE OF THE PROJECT DIRECTOR,
POVERTY ALLEVIATION UNIT,DISTRICT PANCHAYATH,
P.O BOX 9,MALAPPURAM DISTRICT-676523**

BY SENIOR GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

W.P(C) NO.3635/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE REPORT SUBMITTED BY THE DISTRICT
COLLECTOR IN W.P(C) 2530/2014.

EXT.P2:TRUE COPY OF THE REQUEST MADE BY THE PETITIONER TO THE 1ST
RESPONDENT FOR SANCTION TO PROSECUTE WITHOUT ANNEXURES.

EXT.P3:TRUE COPY OF THE QUESTIONNAIRE SUBMITTED BY THE PETITIONER
AND THE REPLY UNDER THE RIGHT TO INFORMATION ACT GIVEN BY
THE 5TH RESPONDENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 3635 of 2015

Dated this the 6th day of April, 2015

J U D G M E N T

Prayers are in the following terms:

- “1. To issue a writ of mandamus or any other writ order or direction to the 1st respondent to immediately accord sanction as requested under Exhibit P2 to prosecute the respondents 2 to 5 under section 197 of the Criminal Procedure Code.*
- 2. To issue such other directions as this Honourable court may deem fit to grant on the facts and circumstances of the case.”*

2. Notice on admission has already been served to the respondents 2 to 5, despite which, they have not chosen to appear before this Court.

3. The learned counsel for the petitioner submits that, because of the atrocious action on the part of the party respondents, the petitioner has already moved the 1st respondent by way of Ext.P2, which is a petition for sanction to prosecute the said persons. The prayer is to cause the same to be considered and disposed of within a reasonable time.

4. Heard the learned Government Pleader as well.

5. Considering the limited extent of relief sought for, this Court does not find it necessary to go into the merit of the case. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P2, in accordance with law, which shall be done, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of the judgment.

The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn