

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 8253 of 2015 (S)

PETITIONER(S) :-

KASARAGOD DISTRICT PEOPLES JUSTICE FORUM
REGD NO. 206/2010, MARKAS COMPLEX, GROUND FLOOR
ROOM NO.2, MAKKOD, KALANAD, KASARAGOD-671 317
REPRESENTED BY ITS GENERAL SECRETARY
ABDUL RAHMAN THERUVATH

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENT(S) :-

1. THE PRINCIPAL SECRETARY TO GOVERNMENT
DEPARTMENT OF HOME AFFAIRS, THIRUVANANTHAPURAM
PIN-695 001.
2. THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM, PIN- 695001.
3. T.P.RANJITH,
DEPUTY SUPERINTENDENT OF POLICE, KASARAGOD
PIN- 671121.

R1 & R2 BY SR.GOVERNMENT PLEADER SRI.P.I.DAVIS
R3 BY ADV. SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 8253 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1: COMMUNICATION ISSUED BY THE DYSP, VIGILANCE AND ANTI-CORRUPTION BUREAU, KASARAGOD.

EXHIBIT P2: ORDER- G.O.(RT) NO. 960/2015/HOME. DATED 25/03/2014.

EXHIBIT P3: JUDGMENT IN WP(C) NO. 21962/2013 DATED 06/09/2013.

EXHIBIT P4: TRUE COPY OF THE COMMUNICATION SENT BY OFFICE OF THE MINISTER FOR HOME AND VIGILANCE ALONG WITH TRANSLATION.

EXHIBIT P5: TRUE COPY OF THE REPRESENTATION SENT BY PETITIONER ALONG WITH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :-

ANNEXURE R3(a) : A LIST OF MMDR & KPRRB&RRS ACT 428 CASES.

ANNEXURE R3(b) : A LIST OF NDPS CASES DETECTED IN THE KASARAGOD SUB DIVISION.

ANNEXURE R3(c) : A CHART OF MAJOR DIRECTION OF CASES AND ARREST OF ACCUSED PREPARED BY THIS DEPONENT.

ANNEXURE R3(d) : A TRUE COPY OF G.O.(P)No.1/2005/P&ARD DATED 4.1.2005.

ANNEXURE R3(e) : A TRUE COPY OF THE 51 ABKARI CASES PREPARED BY THIS DEPONENT.

ANNEXURE R3(f) : A STATEMENT PREPARED BY THIS DEPONENT SHOWING MEDALS, REWARDS, GOOD SERVICE ENTRIES, APPRECIATION LETTERS ETC.

ANNEXURE R3(g) : A TRUE COPY OF LETTER ISSUED TO SALE TAX OFFICER, SALES TAX CHECK POST, HOSANGADI DATED 17/8/14.

ANNEXURE R3(h) : A TRUE COPY OF LETTER ISSUED TO SALE TAX OFFICER, SALES TAX CHECK POST, HOSANGADI DATED 18/9/14.

ANNEXURE R3(i) : A TRUE COPY OF LETTER ISSUED TO OFFICER-IN-CHARGE OF RTO, CHECK POST, MANJESWARAM DATED 18/9/2014.

ANNEXURE R3(j) : A TRUE COPY OF THE LETTER DATED 26/8/2014 BEARING No.DPC-22710/2014-G.

ANNEXURE R3(j) (a) : A TRUE ENGLISH TRANSLATION OF EXHIBIT R3 (j).

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.8253 of 2015

Dated this the 12th day of October 2015

J U D G M E N T

Ashok Bhushan, CJ.

Heard the learned counsel for the petitioner, learned Government Pleader as well as the learned counsel appearing for the 3rd respondent.

2. The petitioner has come up with this writ petition, styled as public interest litigation, raising allegation against the 3rd respondent is continuing at Kasaragod District. One of the prayers in the writ petition was that respondents 1 and 2 be directed to post the 3rd respondent outside the jurisdictional limits of Kasaragod District till the enquiry as contemplated as per Ext.P1 is completed.

3. Learned Senior Government Pleader has submitted that the State Government, vide its order dated 28.9.2015, has already posted the 3rd respondent as Deputy Superintendent of Police, Administration, Kannur. It is further submitted that certain enquiries, which had already been initiated are going on.

4. Learned counsel appearing for the 3rd respondent submits that due to certain special reasons, the 3rd respondent is entitled to be posted in the same District.

-: 2 :-

5. We are not required to express any opinion on such claims made by the 3rd respondent. It is for the Government to consider all aspects in the matter.

In view of the facts of the present case as noticed above, we do not find that any useful purpose will be served in keeping the writ petition pending and further prosecuting the matter. Accordingly, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE