

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 11169 of 2015 (U)

PETITIONER(S) :

N. RADHAKRISHNAN,
AGED 39 YEARS, S/O.NAGARATHINAM,
20A, KUMARAN THIRUNAGAR,
DINDUGAL(DT), TAMIL NADU STATE PIN - 624 005.

BY ADVS.SRI.D.SAJEEV &
SMT.LIGEY ANTONY.

RESPONDENT(S) :

1. THE STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETRY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR OF STATE LOTTERIES,
DIRECTORATE OF STATE LOTTERIES, VIKAS BHAVAN,
THIRUVANANTHAPURAM-33
3. THE DEPUTY DIRECTOR(PRIZE),
DIRECTORATE OF STATE LOTTERIES, VIKAS BHAVAN,
THIRUVANANTHAPURAM-33.
4. THE SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM- 695 001.

BY ADV. STATE ATTORNEY &
BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

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| EXHBIIT P1 | TRUE PHOTOCOPY OF THE LOTTERY TICKET BEARING NO WD 164593 OF WINWIN LOTTERIES, STATE OF KERALA. |
| EXHBIIT P2 | TRUE COPY OF THE LETTER OF AUTHORIZATION OF THE PRIZE WINNER ATTESTED BY STATE NOTARY. |
| EXHIBIT P3 | TRUE COPY OF THE CERTIFICATE OF THE RECEIVING BANK. |
| EXHBIIT P4 | TRUE COPY OF THE LETTER NO AGMI/TV/TVM/VB DATED NIL ISSUED TO THE 2ND RESPONDENT. |
| EXHBIIT P5 | TRUE COPY OF THE CERTIFICATE OF THE COLLECTING BANK ISSUED TO THE 2ND RESPONDENT. |
| EXHBIIT P6 | TRUE COPY OF THE ATTESTED COPY OF THE VOTERS ID OF THE PETITIONER. |
| EXHBIIT P7 | TRUE COPY OF THE FAMILY CARD OF THE PETITIONER ISSUED BY THE CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT OF THE STATE OF TAMIL NADU. |
| EXHBIIT P8 | TRUE ATTESTED COPY OF THE PAN CARD OF THE PETITIONER. |
| EXHBIIT P9 | TRUE ATTESTED COPY OF THE PHOTOGRAPHS OF THE PETITIONER. |
| EXHBITI P10 | TRUE COPY OF THE ADVANCE STAMP RECEIPT EXECUTED BY THE PETITIONER IN THE PRESCRIBED FORM IN FAVOUR OF THE 2ND RESPONDENT. |
| EXHBIIT P11 | TRUE COPY OF THE CONSENT DEED EXECUTED BY THE PETITIONER INF AVOUR OF THE 2ND RESPONDENT. |
| EXHBITI P12 | TRUE COPY OF THE REPRESENTATION DATED 01-08-2013 GIVEN TO THE 2ND RESPONDENT BY THE PETITIONER. |
| EXHBIIT P13 | TRUE COPY OF THE REPRESENTATION DATED 01-08-2013 SUBMITTED BEFORE THE HONOURABLE FINANCE MINSITER, STATE OF KERALA. |
| EXHIBIT P14 | TRUE COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT DATED NIL. |
| EXHBIIT P15 | TRUE COPY OF THE LETTER DATED 21-08-2013 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER. |

EXHIBIT P16 TRUE COPY OF THE REPRESENTATION DATED 05-05-2014
SUBMITTED BEFORE THE 2ND RESPONDENT BY THE
PETITIONER.

EXHIBIT P17 TRUE COPY OF THE LETTER DATED 11-10-2013 ISSUED BY
THE 2ND RESPONDENT TO THE PETITIONER.

EXHIBIT P18 TRUE COPY OF THE LETTER DATED 25-06-2014 ISSUED BY
THE 4TH RESPONDENT TO THE PETITIONER.

EXHIBIT P19 TRUE PHOTOCOPY OF THE JUDGMENT DATED 24-03-2014 IN WP
(C) NO 28926 OF 2012 OF THIS HONOURABLE COURT.

EXHIBIT P20 TRUE PHOTOCOPY OF THE JUDGMENT DATED 10-10-2014 IN
W.A NO 1010 OF 2014 OF THIS HONOURABLE COURT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K. VINOD CHANDRAN, J.

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W.P.(C) No.11169 of 2015 - U

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Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner was before this Court claiming the prize amount, which he admittedly obtained by virtue of the purchase of Ext.P1 lottery ticket.

2. The learned Senior Government Pleader appears for the respondents and submits that, there was an enquiry with respect to the prized lotteries against which claims were made by the residents outside the State, on an allegation of money laundering activities being carried on. However, in an earlier litigation of a similar nature, a learned single Judge of this Court held that, there is no provision by which the State could carry on such enquiry and keep in abeyance the disbursement of the prize amounts. The said decision was approved by a Division Bench as per Ext.P20.

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3. The learned Government Pleader would submit that disbursement would be made in accordance with Ext.P20, within a period of one month from the date of receipt of a certified copy of this judgment. In such circumstance, the respondents are directed to disburse the prize amount after deducting the tax due at source, in accordance with law, within a period of one month from the date of receipt of a certified copy of this judgment.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.