

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

WP(C).No. 14010 of 2015 (S)

PETITIONER(S) :-

C.P. PEETHAMBARAN, AGED 51 YEARS
ADVOCATE, S/O.KRISHNAN NAIR
RESIDING AT CHEMMENCHERI PUTHIYA VEETIL
PRAPOIL P.O., CHERUPUZHA VIA, KANNUR DISTRICT.

BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA

RESPONDENT(S) :-

1. STATE OF KERALA
REPRESENTED BY SECRETARY, HOME DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM-695 001
3. THE CIRCLE INSPECTOR OF POLICE
PAYYANNUR, KANNUR DISTRICT-670 307.
4. THE DEPUTY SUPERINTENDENT OF POLICE
CBCID, HHW-III, WAYANAD SUB UNIT, KOZHIKODE-673 001.
5. THE DIRECTOR
CENTRAL BUREAU OF INVESTIGATION, CHENNAI-60001.
6. THE SUPERINTENDENT OF POLICE
CENTRAL BUREAU OF INVESTIGATION, KOCHI UNIT
KATHRUKADAVU, ERNAKULAM-682 017.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 14010 of 2015 (S)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1.TRUE COPY OF THE FIR IN CRIME NO.188/2012 OF PERINGOME
POLICE STATION ALONG WITH TRUE ENGLISH TRANSLATION OF MALAYALAM
PORTION.

EXT.P2.TRUE COPY OF THE AFFIDAVIT FILED BY THE 4TH RESPONDENT IN
WPC NO.2595/2014.

EXT.P3.TRUE COPY OF THE ORDER DATED 4/3/2014 IN WPC NO.2595/2014
OF THIS HONOURABLE COURT.

EXT.P4.TRUE COPY OF THE ORDER DATED 10/11/2014 IN IA
NO.15044/2014 IN WPC NO.2595/2014 OF THIS HONOURABLE COURT.

EXT.P5.TRUE COPY OF THE MEMO DATED 22/4/2015 FILED BY THE
PETITIONER IN WPC NO.2595/2014 OF THIS HONOURABLE COURT.

EXT.P6.TRUE COPY OF THE REPRESENTATION DATED 23/3/2015 SENT BY
THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P7.TRUE COPY OF THE INTIMATION DATED 16/4/2015 RECEIVED BY
THE PETITIONER FROM THE HOME MINISTER ALONG WITH ITS ENGLISH
TRANSLATION.

EXT.P8.TRUE COPY OF JUDGMENT DATED 3/8/2006 IN WPC NO.18377/2006
OF THIS HONOURABLE COURT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No. 14010 OF 2015

Dated this the 20th day of May, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner. This writ petition has been filed as a Public Interest Litigation seeking investigation of a murder case by Central Bureau of Investigation.

2. The petitioner, claiming to be a resident of Chemmencheri Grama Panchayat in Kannur District and a practicing lawyer, has come up with this Public Interest Litigation seeking investigation of a murder case by Central Bureau of Investigation, which took place on 05.03.2012.

3. Learned counsel for the respondents has raised a preliminary objection regarding maintainability of this Public Interest Litigation. It is submitted that W.P.(C) No. 2595 of 2014 has already been filed by the sons of deceased lady Smt.Mariakutty, who was murdered on 05.03.2012 and learned Single Judge called for reports by passing orders in the year 2014 and the said writ petition is pending.

We have considered the submission and perused the records. W.P.(C) No.2595 of 2014 filed by the sons of the deceased having already been entertained, we see no reason to entertain this writ petition which is claimed to be filed by a resident of the same Panchayat as Public Interest Litigation.

In the above view of the matter, this Writ Petition is dismissed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**