

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 14821 of 2015 (C)

PETITIONER(S):

**DR.K.K.JOSEPH AGED 50 YEARS
SON OF UTHUP JOSEPH, KUZHUPPILLY HOUSE, PONKUTTYKARA
ELANJI, ERNAKULAM DISTRICT-686665.**

**BY ADVS.SRI.B.ASHOK SHENOY
SRI.K.V.GEORGE
SRI.P.N.RAJAGOPALAN NAIR
SRI.P.S.GIREESH**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE SECRETARY TO GOVERNMENT
GOVERNMENT OF KERALA, HOME DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 3. THE DIRECTOR
VIGILANCE AND ANTI CORRUPTION BUREAU
DIRECTORATE OF VIGILANCE AND ANTI CORRUPTION, PMG
VIKAS BHAVAN P.O., OPPOSITE KSRTC DEPOT
THIRUVANANTHAPURAM-695033.**

BY GOVERNMENT PLEADER SMT.S.HYMA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE COMPLAINT DATED 23.1.2015 SUBMITTED BY PETITIONER BEFORE THE DISTRICT POLICE CHIEF, ERNAKULAM RURAL, ERNAKULAM.

EXHIBIT-P2: TRUE COPY OF ACKNOWLEDGEMENT DATED 24.1.2015 ISSUED BY THE DISTRICT POLICE OFFICE, ERNAKULAM RURAL TO THE PETITIONER.

EXHIBIT-P3: TRUE COPY OF COMPLAINT REF KKJ/TOWNSHIP/LTR/015/2015 DATED 15.4.2015 SUBMITTED BY PETITIONER BEFORE 3RD RESPONDENT, ALONGWITH ANNEXURES ATTACHED THERETO.

EXHIBIT-P4: TRUE COPY OF LETTER NO.KKJ/TOWNSHIP/LTR/16/2015 DATED 9.5.2015 SUBMITTED BY PETITIONER BEFORE 3RD RESPONDENT, ALONGWITH ANNEXURES ATTACHED THERETO.

EXHIBIT-P5: TRUE COPY OF REPRESENTATION NO.KKJ/TOWNSHIP/LTR/17/2015 DATED 12.5.2015 SUBMITTED BY PETITIONER BEFORE 1ST AND 2ND RESPONDENTS, WITHOUT ANNEXURES.

RESPONDENT(S)' EXHIBITS

NIL.

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///True copy///

P.S. to Judge

ALEXANDER THOMAS, J.

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W.P.(C).No. 14821 of 2015

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Dated this the 25th day of May, 2015

J U D G M E N T

The above Writ Petition (Civil) has been filed with the following prayers:

- “a) Issue a writ in the nature of mandamus or any other appropriate writ, order, or direction commanding 3rd respondent to forthwith draw up First Information Report and register crime, pursuant to Exhibits P3 and P4 complaints, as also conduct investigation into the crime thereof in accordance with law; and
- b) Grant such other and further reliefs as are deemed just and necessary in the facts and circumstances of the case including the costs of this proceedings;”

2. The learned Additional State Prosecutor submits that based on Ext.P-3 submitted by the petitioner, preliminary enquiry was commenced by the Vigilance and Anti Corruption Bureau (Special Cell), Ernakulam, on 5.5.2015 and that the said enquiry is going on.

3. It is too premature to warrant any intervention of this Court under Art.226 of the Constitution as of now. Accordingly, the Writ Petition is closed with liberty to the petitioner to work out his remedies in the appropriate proceedings strictly in accordance with law.

With these observations, the Writ Petition (Civil) stands closed.

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Sd/-
ALEXANDER THOMAS, JUDGE

///True copy///

P.S. to Judge