

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C). No.19703 of 2013 (K)

PETITIONER(S):

S.SENGUTTUVAN
S/O. LATE SRI.SIVAGNANAM K.,
RESIDING AT LA FRONTIER, 205,
RAJIV NAGAR, 2ND STREET,
PALLIKUPPAM, CHENNAI-600 077.

BY ADVS.SRI.M.R.HARIRAJ
SRI.P.A.KUMARAN
SMT.VINEETHA B.
SRI.NIRMAL V NAIR
SRI.K.RAJAGOPAL
SMT.M.A.JINSA MOL

RESPONDENT(S):

SUPERINTENDENT OF POLICE,
AC & V, CENTRAL BUREAU OF INVESTIGATION, KATHRIKADAVU,
KALLOOR, ERNAKULAM, KOCHI-682 017.

R1 BY ADV. SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 19703 of 2013 (K)

APPENDIX

PETITIONER(S)' EXHIBITS:-

P1 : COPY OF THE FIR.

P2 : COPY OF THE SEARCH LIST.

P3 : COPY OF THE REPRESENTATION DTD.11.3.2013.

RESPONDENT(S)' EXHIBITS:- NIL

KRJ

/True Copy/

P.A to Judge

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.19703 of 2013

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Dated this the 20th day of January, 2015

JUDGMENT

The following documents were seized from the custody of the petitioner in connection with Crime No.10/1987 registered by the respondent for offences punishable under Section 120 B IPC r/w. 5 (2) r/w.5(1)(d) of the Prevention of Corruption Act.

1. R. C. Book of KL M 8807 in the name of Mr. George Samuel, a friend of the petitioner who handed over the vehicle to the petitioner's possession.
2. R. C. book of KRK 4449 in the name of the petitioner.
3. Registered deed in stamp paper for ₹1,500/- (document no.1470 of Registrar Office, Kakkodi) relating to the landed property in the name of the wife of the petitioner.

2. The petitioner is aggrieved by the non-returning of the documents in spite of the closure of the proceedings.

3. The stand taken by the respondent is that the documents have been destroyed after a statutory period and, therefore, the same has been irrecoverably lost.

4. The learned counsel for the petitioner would submit that if a certificate is given by the respondent to that effect, it could be made use of for obtaining duplicates from the authorities concerned. This Court is of the view that there is no harm in giving a direction to the respondent to that effect.

Therefore, the writ petition is disposed of directing the respondent to issue a certificate to the petitioner within one month from the date of receipt of a copy of this judgment stating that the aforesaid documents have been irrecoverably lost as the same were destroyed after the statutory period.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

krj