

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 19794 of 2013 (Y)

PETITIONER(S):

**MANJU RAMAVTAR AGARWAL,
1301, 1302, RAJDARSHAN TOWER,
BEHIND JAIN TEMPLE, SARVODAYA NAGAR, MULUND WEST,
MUMBAIN-400083.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S):

- 1. THE DIRECTOR OF STATE LOTTERIES,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695033.**
- 2. DIRECTORATE OF STATE LOTTERIES,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM-695033.**
- 3. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, TAXES (H) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SRI.S.JAMAL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-06-2015,
ALONG WITH WPC. 30146/2013, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE TICKET NUMBER KU-136620 OF KARUNYA LOTTERY.
- EXHIBIT P2 : TRUE COPY OF THE RESULTS OF KARUNYA LOTTERY NO.KR 8TH DRAW HELD ON 12-11-2011 AT CONFERENCE HALL, RDDSL, REVENUE TOWER, ERNAKULAM.
- EXHIBIT P3 : TRUE COPY OF THE ORDER NO.PZE/PA2/11359/11/2011/DSL DT.10-4-2013 PASSED BY THE R1.
- EXHIBIT P4 : TRUE COPY OF THE AFFIDAVIT DT.17-11-2011 SWORN TO BY THE PETITIONER.
- EXHIBIT P5 : TRUE COPY OF THE COMMUNICATION DT.6-6-2012 ISSUED BY R1 TO THE PETITIONER.
- EXHIBIT P6 : TRUE COPY OF THE REPLY DT.29-6-2012 SENT BY THE PETITIONER IN RESPONSE TO EXHIBIT P5 COMMUNICATION TO R1.
- EXHIBIT P7 : TRUE COPY OF THE COMMUNICATION DT.5-2-2013 ISSUED BY THE R1 TO THE PETITIONER.
- EXHIBIT P8 : TRUE COPY OF THE GO(P)NO.65/2005/TD DT.20-4-2005 PUBLISHED IN SRO 372/2005.
- EXHIBIT P9 : TRUE COPY OF THE GO(P) NO.27/2008/TD DT.20-2-2008 PUBLISHED AS SRO 25/2008.
- EXHIBIT P10 : TRUE COPY OF THE GO(P) NO.218/2008/2008/TD DT.13-11-2008 IN SRO 1160/2008.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. VINOD CHANDRAN, J

W.P(C) No. 19794 of 2013 & 30146 of 2013

Dated this the 19th day of June, 2015

J U D G M E N T

The petitioners were before this Court claiming the prize amount, which they admittedly obtained by virtue of the purchase of lottery tickets produced as Ext.P1 in both the writ petitions.

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 in W.A No.1010 of 2014.

3. The learned Government Pleader would submit that disbursement would be made in accordance with the judgment in W.A No.1010 of 2014 dated 10.10.2014 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)

jma

//true copy//

P.A to Judge