

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No. 17319 of 2015 (L)

PETITIONER(S):

**K.V. MURALEEDHARAN, S/O.VELAYUDHAN,
AGED 52 YEARS, POORNASREE, MANNUTHI P.O.,
THRISSUR DISTRICT.**

**BY ADVS.SRI.BINOY VASUDEVAN,
SMT.P.G.BABITHA.**

RESPONDENT(S):

- 1. THE DIRECTOR,
VIGILANCE AND ANTI-CORRUPTION BUREAU,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI-CORRUPTION BUREAU,
IDUKKI UNIT, IDUKKI-685 602.**
- 3. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE COPY OF THE F.I.R IN V.C.NO.10/03 REGISTERED BY THE SECOND RESPONDENT.
- EXT.P2 TRUE COPY OF THE FINAL REPORT IN C.C.56/2011 ON THE FILE OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, KOTTAYAM.
- EXT.P3 TRUE COPY OF THE JUDGMENT DATED 13/08/2008 IN WP(C).NO.23730/2008.
- EXT.P4 TRUE COPY OF THE REQUEST DATED 20/03/2013 SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR, IDUKKI.
- EXT.P5 TRUE COPY OF THE REPLY FURNISHED FROM THE OFFICE OF THE DISTRICT COLLECTOR, IDUKKI.
- EXT.P6 TRUE COPY OF THE REPLY STATEMENT PREFERRED BY THE STATE OF KERALA BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM.
- EXT.P7 TRUE COPY OF THE REPLY RECEIVED BY THE PETITIONER FROM THE REVENUE DEPARTMENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ALEXANDER THOMAS, J.

=====

W.P.(C).No.17319 of 2015

=====

Dated this the 23rd day of June, 2015

ORDER

The main prayers in this Crl.M.C. reads as follows:

- “i. Issue a writ of certiorari or other appearance writs, orders or direction to call for the records leading up to Exhibit P-1 FIR and to quash the same to the extent it implicates the petitioner as the 11th accused in V.C. No.10/03 in the interest of justice.

Or in the alternate

- ii. Issue a writ of mandamus or other appropriate orders or direction commanding the second respondent to complete the investigation pursuant to Exhibit P-1 F.I.R. and to submit the final report as expeditiously as possible at any rate within a time frame to be fixed by this Hon'ble Court”

2. The learned counsel for the petitioner submits that the petitioner is pressing only for the alternate prayer No.ii made in the Writ Petition for expeditious completion of the investigation and submission of the final report pursuant to Ext.P-1 FIR within a time frame that may be fixed by this Court.

3. Sri.Binoy Vasudevan, learned counsel for the petitioner submits that merely because of the pendency of the aforementioned impugned criminal proceedings, respondents 1 and 2 are simply dragging on the matter for the last 12 years and that non-

expeditious completion of the investigation is violative of the fundamental right guaranteed under Art.21 of the Constitution of India for speedy trial of criminal offences and it is further that this detrimentally affects his future career and service.

3. The learned State Attorney has filed a statement dated 18.6.2015 of the 2nd respondent investigating officer (Deputy Superintendent of Police, Vigilance and Anti Corruption Bureau, Eastern Range, Kottayam) in this case, showing various details of the case, wherein it is also inter alia stated that in the FIR, the name of the petitioner herein, the then Deputy Collector, Idukki, has also been cited as accused No.11. Shorn of all the other details in the statement, it is only relevant to state that it is also undertaken in paragraph 10 of the said statement dated 18.6.2015 filed by the respondent Deputy Superintendent of Police that the entire investigation will be completed and report will be filed within a period of six months.

4. Heard Sri.Binoy Vasudevan, learned counsel appearing for the petitioner and Sri.P.Vijaya Raghavan, learned State Attorney appearing for the respondent State of Kerala.

5. Paragraph 10 of the above said statement dated

18.6.2015 reads as follows:

“10. It is most humbly submitted that the entire investigation will be completed and Report will be filed within a period of 6 months. Hence is is humbly submitted that 6 months time may kindly be granted to complete the investigation.”

In view of the undertaking made by the respondent officer concerned in paragraph 10 of the statement dated 18.6.2015, it is ordered in the interest of justice that the entire investigation shall be completed and final report filed within a period of six months.

With these observations and directions, the Writ Petition (Civil) stands finally disposed of.

sdk+

///True copy///

Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge