

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 21855 of 2014 (F)

PETITIONER(S):

**DR.SHYLAJA P.N., AGED 51 YEARS,
ADDITIONAL PROFESSOR OF NEUROLOGY SREE CHITRA THIRUNAL
INSTITUTE FOR MEDICAL SCIENCE AND TECHNOLOGY,
MEDICAL COLLEGE, THIRUVANANTHAPURAM, PIN 695 011,
RESIDING AT GOWRISANKARAM T.C. 74/1421,
OPPOSITE SHIVELI NAGAR PALKULANGARA,
THIRUVANANTHAPURAM, PIN 695 024.**

**BY ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY
TO GOVERNMENT OF KERALA,
DEPARTMENT OF HOME, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN 695 001.**
- 2. CIRCLE INSPECTOR OF POLICE,
MEDICAL COLLEGE PO, THIRUVANANTHAPURAM, PIN 695 011.**
- 3. SUB INSPECTOR OF POLICE,
MEDICAL COLLEGE PO, THIRUVANANTHAPURAM, PIN 695 011.**
- 4. DR.ABRAHAM KURUVILA, AGED 60 YEARS,
S/O.M.K.KURUVILA, PROFESSOR OF NEUROLOGY,
SREE CHITRA THIRUNAL INSTITUTE FOR MEDICAL
SCIENCES AND TECHNOLOGY,
MEDICAL COLLEGE, THIRUVANANTHAPURAM, PIN 695 011.**
- 5. SREE CHITRA THIRUNAL INSTITUTE FOR MEDICAL
SCIENCES AND TECHNOLOGY,
MEDICAL COLLEGE, THIRUVANANTHAPURAM, PIN 695 011,
REPRESENTED BY ITS DIRECTOR.**

R1 TO R3 BY SENIOR PUBLIC PROSECUTOR SMT.SAREENA GEORGE P.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE COMPLAINT PETITION DATED 1/8/2014 SUBMITTED BY THE 4TH RESPONDENT BEFORE THE 2ND RESPONDENT ON 5/8/2014.
- EXHIBIT P2: TRUE COPY OF THE FIR IN CRIME NO.1379 OF 2014 ON THE FILES OF THE MEDICAL COLLEGE POLICE STATION, THIRUVANANTHAPURAM DISTRICT.
- EXHIBIT P3: TRUE COPY OF THE NOTIFICATION BEARING ADVT.NO.P & A 11/7/SSSC/SCT IMST/2010 DATED 30/3/2010 ISSUED BY THE SCT INSTITUTE FOR MEDICAL SCIENCES AND TECHNOLOGY, THIRUVANANTHAPURAM INVITING APPLICATIONS FOR THE POST OF ADDITIONAL PROFESSOR (NEUROLOGY).
- EXHIBIT P4: TRUE COPY OF THE SREE CHITRA TRIBUNAL INSTITUTE FOR MEDICAL SCIENCES AND TECHNOLOGY ,THIRUVANANTHAPURAM, SERVICE AND PERSONNEL CONDUCT RULES WITH CHAPTER-I AND II.
- EXHIBIT P5: TRUE COPY OF THE PLACEMENT ORDER DATED 5/5/2004 ISSUED BY THE INSTITUTE TO THE PETITIONER.
- EXHIBIT P6: TRUE COPY OF THE RELIEVING CERTIFICATE DATED 8/2/2007 ISSUED BY THE INSTITUTE TO THE PETITIONER.
- EXHIBIT P7: TRUE COPY OF THE ORDER BEARING NO. P & A.1/X/58/SCTIMST/2012 DATED 20-12-2012 ISSUED BY THE INSTITUTE TO THE PETITIONER.
- EXHIBIT P8: TRUE COPY OF THE APPLICATION DATED 19/4/2010 SUBMITTED BY THE PETITIONER TO THE SCT INSTITUTE FOR APPOINTMENT TO THE POST OF ADDITIONAL PROFESSOR OF NEUROLOGY.
- EXHIBIT P9: TRUE COPY OF THE CURRICULUM VITAE OF THE PETITIONER SUBMITTED ALONGWITH THE APPLICATION.
- EXHIBIT P10: TRUE COPY OF THE PLACEMENT ORDER BEARING NO.P & A/11/PF/2175/1/SCTIMST/2010 DATED 20/7/2010 ISSUED BY THE SREE CHITRA TRIBUNAL INSTITUTE FOR MEDICAL SCIENCES AND TECHNOLOGY.
- EXHIBIT P11: TRUE COPY OF WPC NO.17270/2010 FILED BY THE 4TH RESPONDENT.
- EXHIBIT P12: TRUE COPY OF THE REFER REPORT IN CRIME NO.1379 OF 2014 OF MEDICAL COLLEGE POLICE STATION FILED BY THE SUB INSPECTOR OF POLICE, MEDICAL COLLEGE POLICE STATION, THIRUVANANTHAPURAM BEFORE THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE'S COURT, THIRUVANANTHAPURAM.

Msv/

WP(C).No. 21855 of 2014 (F)

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.UBAID, J.
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**W.P (C ) No.21855 of 2014**  
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Dated this the 18th March, 2015

J U D G M E N T

The writ petitioner herein is the first accused in Crime No.1379 of 2014 of Medical College Police Station, Thiruvananthapuram. She seeks a writ of certiorari quashing the F.I.R in the said crime. Now it is submitted that the Police has already submitted final report in court referring the crime, and that the de facto complainant has filed a protest complaint before the learned Magistrate. The petitioner's purpose is now served, and her grievance now stands redressed for the time being, of course subject to further proceedings and action on the protest complaint filed by the complainant. Anyway, this writ petition need not now proceed.

In the result, this writ petition is closed in view of the final report referring the crime.

**Sd/-
P.UBAID
JUDGE**

ma

/True copy/

P.S to Judge