

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 21962 of 2015 (U)

PETITIONER(S):

**P.SANKARA PILLAI AGED 67 YEARS,
S/O. LATE P.PARAMESWARA PILLAI, SANKARALAYAM HOUSE,
MUTHIPILAKKADU WEST, PORUVAZHY P.O., KOLLAM-690 520.**

BY ADV. SRI.P.SANKARA PILLAI (PARTY IN PERSON)

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ADDL. CHIEF SECRETARY,
MINISTRY OF HOME, THIRUVANANTHAPURAM-695 001.**
- 2. DIRECTOR GENERAL OF POLICE (ADM),
VAZHUTHAKAD, THIRUVANANTHAPURAM(KERALA)-690 501.**
- 3. COMMISSIONER OF POLICE,
KOLLAM, KOLLAM DISTRICT,PIN-691 013.**
- 4. SRI.G.GOPAKUMAR
SHO, CHAVARA POLICE STATION, P.O.CHAVARA,
KOLLAM DISTRICT, KERALA.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PTO

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : TRUE COPY OF THE COMPLAINT DTD.6.10.2009 LODGED TO THE SHO EAST POLICE STATION, KOLLAM.
- P2 : TRUE COPY OF THE COMPLAINT DTD.7.10.2009 LODGED TO THE SUPERINTENDENT OF POLICE, KOLLAM.
- P3 : TRUE COPY OF THE APPEX COURT VERDICT, MANOJ VS. STATE OF M.P.AIR 1999(3) SCC.715 AIR 1999 SC 1403; 1999(2) CASE NO.CRL.A.NO.371 OF 1999, DTD.5.4.1999.
- P4 : TRUE COPY OF THE LETTER DTD.14.1.2010 OF ADDL. CHIEF SECRETARY, MINISTRY OF HOME.
- P5 : TRUE COPY OF CMP NO.6451/2009 DTD.19.1.2009 FILED BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE-II, KOLLAM.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE

SMJ

K. VINOD CHANDRAN, J.

W.P(C). No.21962 of 2015

Dated this the 21st day of July, 2015.

JUDGMENT

The petitioner is aggrieved with the fact that, a written complaint lodged on 06.10.2009 before the Kollam Police Station was not registered as a First Information Report by the 4th respondent. Admittedly, on the very same complaint, the petitioner had filed a petition under Section 156(3) of the Criminal Procedure Code before the Judicial First Class Magistrate's Court-II, Kollam on 19.12.2009 and the same has been now registered as C.C. No.4717 of 2009.

2. The petitioner in the above writ petition seeks direction to the Director General of Police to investigate the matter of non-registration of an FIR in a fair and impartial manner.

3. At the outset, it is to be noticed that the incident is of the year 2009 and the petitioner has approached this Court in 2015,

after about six years. The fact that the petitioner had been representing many authorities, is not a reason for the inordinate delay, which has occurred in approaching this Court. The petitions filed are all of 2009 and there is nothing to show that the petitioner has pursued it.

4. The decision relied on by the petitioner and produced herein has no application, since it deals with the illegal detention of a person in police custody without producing him before the Jurisdictional Magistrate. The issue considered was the mandate for such production of an arrested accused within 24 hours as provided under Section 167 Cr.P.C.

The writ petition would stand dismissed. No costs.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp