

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 24863 of 2014 (G)

PETITIONER(S):

**THE ERNAKULAM URBAN CO-OPERATIVE SOCIETY LTD AGED 53 YEARS
NO 7, DIWANS ROAD, KOCHI 16
REPRESENTED BY ITS SECRETARY IN CHARGE MR. K.R SASIKUMAR
S/O. K.U RAGHAVAN, KANNIMOLATH HOUSE, WEST VENGOLA P.O
PERUMBAVOOR**

**BY ADVS.SRI.K.R.VINOD
MS.JENCY SUSAN JOSE
SRI.V.SRI NATH**

RESPONDENT(S):

- 1. THE STATE OF KERALA
REP BY THE PUBLICPROSECUTOR
HIGH COURT OF KERALA 682 031**
- 2. THE STATION HOUSE OFFICE,CENTRAL POLICE STATION,
ERNAKULAM 682 031**
- 3. THE DIRECTOR GENERAL OF POLICE,POLICE
HEAD QUARTERS,THIRUVANANTHAPURAM 695 001**

**R1-R3 BY ADV. STATE ATTORNEY P. VIJAYA RAGHAVAN
R1-R3 GOVERNMENT PLEADER SMT. S. HYMA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1A THE COPY OF FIR NO 1405/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1B THE COPY OF FIR NO 1408/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1C THE COPY OF FIR NO 1424/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1D THE COPY OF FIR NO 1432/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1E THE COPY OF FIR NO 1438/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1F THE COPY OF FIR NO 1472/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1G THE COPY OF FIR NO 1473/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1H THE COPY OF FIR NO 1474/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1I THE COPY OF FIR NO 1475/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1J THE COPY OF FIR NO 1477/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1K THE COPY OF FIR NO 1478/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1L THE COPY OF FIR NO 1479/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1M THE COPY OF FIR NO 1480/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1N THE COPY OF FIR NO 1481/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1O THE COPY OF FIR NO 1482/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1P THE COPY OF FIR NO 1483/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

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EXHIBIT P1Q THE COPY OF FIR NO 1484/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1R THE COPY OF FIR NO 1485/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1S THE COPY OF FIR NO 1486/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1T THE COPY OF FIR NO 1489/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1U THE COPY OF FIR NO 1490/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1V THE COPY OF FIR NO 1491/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1W THE COPY OF FIR NO 1492/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1X THE COPY OF FIR NO 1493/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1Y THE COPY OF FIR NO 1494/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

EXHIBIT P1Z THE COPY OF FIR NO 1495/2014 OF CENTRAL POLICE
STATION,ERNAKULAM

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

PA TO JUDGE

sab

P.UBAID, J.

W.P.(C) No.24863 of 2014

Dated this the 12th day of February, 2015.

J U D G M E N T

The petitioner herein seeks a writ of mandamus directing the third respondent to constitute a special investigation team for investigation into a crime registered on his complaint. Now there is report by the Investigating Officer that the crime stands referred as one of civil nature. In such a situation, the writ petition will have to pursue other appropriate normal remedies possible under the Code of Criminal Procedure. Without prejudice to such right this writ petition will have to be closed. The learned counsel for the petitioner makes a request to order further investigation. Of course, for the said purpose, the writ petitioner will have to approach the trial court under Section 173(8) Cr.P.C. After the normal remedies are exhausted, he can, if possible, come to this court for extraordinary relief.

In the result, this writ petition is closed without prejudice to the right of the petitioner to pursue other appropriate normal remedies

possible under the Code of Criminal Procedure from the trial court. If the petitioner has received refer notice from the police, he can very well approach the trial court, and make necessary application.

P.UBAID,
JUDGE

sab