

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

UNNUMB.Crl.Rev.Pet.of 2006 (E)
(ZCRRP.NO.12013 OF 2006)

AGAINST THE JUDGMENT IN CC 728/2004 of THE COURT OF JUDICIAL FIRST
CLASS MAGISTRATE-I, PEERMADE DATED 31-01-2006

REVISION PETITIONER:

ENFORCEMENT OFFICER,
EMPLOYEES PROVIDENT FUND ORGANIZATION
IDUKKI.

BY ADV. SRI.JOY THATTIL ITTOOP

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR GOVERNMENT
HIGH COURT OF KERALA
ERNAKULAM.
2. M/S.VAGAMAN TEA GARDEN, VAGAMAN P.O., IDUKKI
REPRESENTED BY ITS MANAGING PARTNER,
SRI.JOSEPH MATHEW.
3. JOSEPH MATHEW, MANAGING PARTNER,
MANARKATTU BUILDINGS
PALA, KOTTAYAM 686 575.
4. JOSEPH MATHEW JR., PARTNER,
MANARKATTU BUILDINGS
PALA, KOTTAYAM 686 575.
5. SIBY MATHEW, PARTNER,
MANARKATTU BUILDINGS
PALA, KOTTAYAM 686 575.
6. P.N.RAMAN NAIR, MANAGER,
VAGAMON TEA GARDEN, VAGAMON P.O., IDUKKI.

R1, BY PUBLIC PROSECUTOR SMT.SEENA RAMAKRISHNAN
R,R2 TO 6 BY ADV. SRI.E.K.NANDAKUMAR
R,R2 TO 6 BY ADV. SRI.A.K.JAYASANKAR NAMBIAR

THIS UNNUMBERED CRIMINAL REVISION PETITION HAVING COME UP
FOR ORDERS ON 02-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

C.T.RAVIKUMAR, J.

Unnumbered CrI.R.P. of 2006
(ZCRRP No.12013 of 2006)
&
CrI.M.A.No.12013 of 2006

Dated 2nd March, 2015

ORDER

CrI.M.A.No.12013 of 2006

This unnumbered revision petition is of the year 2006. This revision is sought to be registered against an order passed by the Court of Judicial First Class Magistrate-I, Peermade in C.C.No.728 of 2004 dated 31.1.2006, with a long delay of 214 days. Notice was ordered in the delay petition as early as on 1.12.2006. On 25.9.2012 even after entering into a finding that the reason assigned in the affidavit accompanying the application to condone the delay was not explained satisfactorily this Court condoned the delay on condition that the petitioner pays an amount of ₹ 750/- as costs to the Kerala State Mediation and Conciliation Centre. It was further ordered thereunder that in case of failure on the part of the petitioner to produce proof of payment within one week from 25.9.2012 the petition to condone the delay would stand dismissed. On the other hand, on production of the proof of payment the Registry was directed to number the revision petition and to post the matter for admission. When this matter came up before this Court on 23.2.2015, this Court passed an order requiring

the learned counsel appearing for the petitioner to ascertain and submit as to whether the condition in the order dated 25.9.2012 has been complied with or not. Evidently, the cost ordered as per order dated 25.9.2012 has not been paid by the petitioner even now. In fact, even when this matter is taken up for consideration today, there was no representation for the petitioner. This Court in the order dated 25.9.2012 specifically ordered that in case of failure on the part of the petitioner to pay the amount of cost ordered and to produce proof thereof the petition to condone the delay would stand dismissed. In the said circumstances, this application for condoning the delay in filing the revision petition is dismissed.

Unnumbered Crl.R.P. of 2006(ZCRRP No.12013 of 2006)

Consequent to the dismissal of the petition for condoning the delay this revision petition, which is yet to be admitted, is rejected.

Sd/-
C.T.RAVIKUMAR
Judge

TKS