

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 27413 of 2015 (B)

PETITIONER :

**PRADEEP BOSE, AGED 50 YEARS,
S/O.VELUTHAKUNJU, T.C. 4/2622, ST.ANTONY VIHAR,
KURAVANKONAM, NEAR BY KURAVANKONAM,
VAYALIKADA ROAD, KOWDIAR P.O,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.D.KISHORE
SMT.MINI GOPINATH
SMT.MEERA KISHORE**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE PRINCIPAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME AFFIARS, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 3. SAIJUNATH,
SUB INSPECTOR OF POLICE, PEROORKADA POLICE STATION,
PEROORKADA, THIRUVANANTHAPURAM-695 005.**
- 4. M.G.HARIDAS,
ASSISTANT COMMISSIONER OF POLICE,
CANTONMENT SUB DIVISION, STATUE,
THIRUVANANTHAPURAM-695 001.**
- 5. THE STATE POLICE CHIEF,
POLICE HEADQUARTERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM-695 001.**

R1,R2 & R5 BY PUBLIC PROSECUTOR SMT. P.MAYA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE CMP 4305/2013 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, THIRUVANANTHAPURAM.
- P2 : TRUE COPY OF THE REPRESENTATION DT 4-8-2014 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- P3 : TRUE COPY OF THE COMMUNICATION DATED 24-9-2014 OF THE HOME DEPARTMENT.
- P4 : TRUE COPY OF THE REPRESENTATION DT 17-3-2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- P5 : TRUE COPY OF THE REPRESENTATION DT 19-8-2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- P6 : TRUE COPY OF THE REPRESENTATION DT 19-8-2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

B. KEMAL PASHA, J.

.....
W.P.(C) No.27413 of 2015 B
.....

Dated this the 30th day of September, 2015

J U D G M E N T

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Sanction for prosecuting respondents 3 and 4 police officers has been sought for by the petitioner from the Government through Ext.P2 dated 04.08.2014. Still, the matter has not been finalised. Ext.P3 obtained by the petitioner from the Home Department, State of Kerala, shows that the Government was awaiting a report from the State Police Chief for considering the question of sanction. Again, Ext.P4 reminder and Ext.P5 representation were filed by the petitioner before the 1st respondent. Still, no favourable reply has been obtained.

2. The learned Public Prosecutor has pointed out that the 1st respondent has called for a report from the State Police Chief and the State Police Chief has directed the Inspector General of Police to enquire into the matter and to

file a report. Whatever it is, the 1st respondent and the State Police Chief, shall expedite the matter and to take a decision on Exts.P2, P4 and P5, as expeditiously as possible, at any rate, within a period of one month from today.

With the said direction, this writ petition is disposed of.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/30/09

// True Copy //

PA to Judge