

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 32716 of 2015 (L)

PETITIONERS :

1. MASJIDUL KHADARIA MUSLIM JAMA-ATH @ CHOTTY JAMA-ATH
CHOTTI, CHITTADI
REPRESENTED BY ITS SECRETARY A.M.SHERAFUDEEN,
RESIDING AT OOTUKUZHIL, CHITTADI P.O., CHOTTY
KOTTAYAM.
2. KUTTIYALI
PRESIDENT, MASJIDUL KHADARIA MUSLIM NAMA-ATH
RESIDING AT ILLATHUPARAMBIL, CHITTADI P.O., CHOTTY
KOTTAYAM.

**BY ADVS.SRI.K.A.HASSAN
SMT.JULIA PRIYA RESHMY**

RESPONDENTS :

1. C.K.HAMSA
CHERUTHODI HOSUE, CHOTTY, PIN:686512.
2. M.A. ABOOBACKER, MATTAN, CHOTTY, PIN:686512.
3. HAMSA MOULAVI, IMAM
MASJIDUL KHADARIA MUSLIM JAMA-ATH CHOOTY-686512.
4. KERALA STATE WAQF BOARD,
REPRESENTED BY THE C.E.O., KERALA STATE WAQF BOARD
VIP ROAD, KALOOR-682017.
5. THE DIVISIONAL OFFICER
KERALA STATE WAQF BOARD, CHANGANASSERY-686501.
6. ADV.SAYYED ALI KHAN
RETURNING OFFICER, COURT COMPLEX, NEAR J.F.M COURT
PONKUNNAM, PIN:686506.
7. THE SUPERINTENDENT OF POLICE
KOTTAYAM-686 001.

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**8. THE C.I. OF POLICE
KANJIRAPALLY-686001.**

9. THE S.I. OF POLICE, MUNDAKAYAM-686507.

**10. MUHAMMED NAZEER P.S.
ADVOCATE, PAZAYAPARAMBIL, PATTIMATTOM
(PO), KANJIRAPALLY, KOTTAYAM-680506.**

**R4 & R5 BY SRI.K.SHIBILI NAHA, SC, KERALA STATE WAKF BOARD
R7 TO R9 BY GOVERNMENT PLEADER SMT. SAREENA GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: THE TRUE COPY OF THE BYE-LAW OF THE CHOTTY MUSLIM JAMA-ATH.
- EXHIBIT P2: THE TRUE COPY OF THE LETTER FROM THE DIVISIONAL OFFICER, OF THE KERALA STATE WAQF BOARD AT CHANGANASSERY DATED 3.9.15.
- EXHIBIT P3: THE TRUE COPY OF THE PETITION DATED 25.9.15.
- EXHIBIT P4: THE TRUE COPY OF THE F.I.R
- EXHIBIT P5: THE TRUE COPY OF THE ORDER DATED 30.10.15 IN E7-4306/15.
- EXHIBIT P6: THE TRUE COPY OF THE PETITION DATED 5.10.15.
- EXHIBIT P7: THE TRUE COPY OF THE CERTIFICATE FROM THE DIVISIONAL OFFICER, CHANGANASSERY DATED 15.10.15.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S.TO JUDGE

bp

B. KEMAL PASHA, J.

.....
W.P.(C) No.32716 of 2015
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Dated this the 3rd day of November, 2015

J U D G M E N T

According to the petitioner, no fruitful investigation is being conducted by the investigating officer in Crime No.1143/2015 of the Mundakkayam Police Station. It seems that the crime itself was registered on 3.10.2015. The investigating officer shall get a breathing time to `investigate the matter. The present stage is too premature to hold that no investigation is being done.

2. The learned Public Prosecutor submits that the investigation is going on in the matter, and the preliminary investigation is already over. The 7th respondent shall supervise and monitor the investigation of the case.

With liberty to the petitioner to approach this Court or appropriate forum once again, in case of any laches from the part of the investigating officer, this Writ Petition is closed. In respect of the reliefs sought for with regard to the police protection and all, the petitioner has to seek appropriate relief from appropriate forum.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge