

Ashad vs State of Kerala

Ashad vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1382207

Court : Kerala Orders

Decided On : Apr-04-2023

Judge : Honourable the Chief Justice Mr.S.Manikumar,Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/12471/2015

Appellant : ASHAD

Respondent : State of Kerala

Advocate for Pet/Ap. : Mr. S. Rajeev

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR & THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN TUESDAY, THE 4TH DAY OF APRIL 2023 / 14TH CHAITHRA, 1945 WP(C) NO. 12471 OF 2015 PETITIONER/S: ASHAD AGED 39 YEARS STATION, KUMILY, IDUKKI DISTRICT. SRI.S.RAJEEV SRI.K.K.DHEERENDRAKRISHNAN SRI.V.VINAY SRI. ANEER M.S. RESPONDENT/S:

1 STATE OF KERALA THIRUVANANTHAPURAM - 695 001. 2 DEEPU U.V. AGED 34 YEARS SO.UNNIKRISHNAN AIR KEERTHANAM VAYALIKKADA VATTIYOORKKAVU P.O., THIRUVANANTHAPURAM - 695 013. 3 SONY MATHAI SUB INSPECTOR OF POLICE KUMILY POLIOCE STATION KUMILY IDUKKI DISTRICT - 685 509. 4 SANJAYAN KUTTAPPAN CIVIL POLICE OFFICER MUMILY POLICE STATION IDUKKI DISTRICT - 685 509. 5 DR.ABILASH ASST.SURGEON PRIMARY HEALTH CENTRE KUMILY, IDUKKI DISTRICT - 685 509. 6 SECRETARY, DEPARTMENT OF HOME GOVERNMENT OF KERALA SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 7 SECRETARY DEPARTMENT OF HEALTH FAMILY WELFARE GOVT. OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 8 STATE OF POLICE CHIEF KERALA POLICE DEPARTMENT VAZHUTHACAUD THIRUVANANTHAPURAM - 695 010. -2-

9 THE LOK AYUKTA REPRESENTED BY ITS SECRETARY ASSEMBLY ANNEX BUILDING, THIRUVANANTHAPURAM - 695 001. 10 SUPERINTENDENT OF POLICE LOK AYUKTA ASSEMBLY ANNEX BUILDING, THIRUVANANTHAPURAM - 695 001. SRI.K.B.PRADEEP SMT.RENU. D.P., SC, LOK AYUKTA SRI. TEKCHAND V. SR. GP. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04.04.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -3-

JUDGMENT

S. Manikumar, C. J. Petitioner has sought for the following reliefs:- i) Issue a writ of certiorari calling for records leading to Ext.P1 and quash the same; ii) Declare that the Lok Ayukta has no authority to interfere in the investigation of Ext P2 crime by police; iii) Issue a writ of mandamus or any other writ seeking transfer of Ext P1 complaint to another Upa Lok Ayukta for fair and impartial adjudication of Ext. P1 complaint; iv) Declare that Lok Ayukta does not have any authority to conduct test identification parade.

2. Today, when the matter is taken up, Mr. Aneer M. S. learned

counsel representing Mr. S. Rajeev, learned counsel for the petitioner, submitted that the issue between the petitioner and the 2 nd respondent is settled out of Court. He seeks permission to withdraw the writ petition. -4- Placing on record the above submission, writ petition is dismissed as withdrawn. S. MANIKUMAR CHIEF JUSTICE MURALI PURUSHOTHAMAN JUDGE Eb ///TRUE COPY/// P. A. TO JUDGE

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com