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Kallalan vs State of Kerala

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Court : Kerala Orders

Decided On : Apr-04-2022

Judge : Honourable Mrs. Justice Anu Sivaraman

Appeal No. : WP(C)/11690/2022

Appellant : Kallalan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN MONDAY, THE 4TH DAY OF APRIL 2022 / 14TH CHAITHRA, 1944 WP(C) NO. 11690 OF 2022 PETITIONERS: 1 KALLALAN AGED 63 YEARS S/O MARI,CHOORA PPADAV HOUSE ,THAYANOOR PO ,KAZARGOD, PIN - 671531 2 AMBIKA W/O KALLALAN ,CHOORAPPADAV HOUSE ,THAYANOOR POST KAZAR GOD, PIN - 671531 3 ABHILASH AGED 31 YEARS S/O KALLALAN ,CHOORAPPADAV HOUSE ,THAYNOOR POST ,ANANDASHRAMAM VIA KAZARGOD DISTRICT,, PIN - 671531 BY ADV B.BALA PRASANNAN RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY HOME SECRETARY ,SECRETARIAT THIRUVANTHAPURAM, PIN - 695001 2 DIRECTOR GENERAL OF POLICE POLICE HEAD QUARTERS VAZHUTHACAUD, THIRUVANANTHAPURAM, KERALA, PIN - 695010 3 DISTRICT POLICE CHIEF PARAKATTA, VIDYANAGAR-ULIYATHADKA ROAD, KUDLU, KASARAGOD., PIN - 671124 4 STATION HOUSE OFFICER KANHANGAD - PANATHOOR RD, NEAR POST OFFICE, AMBALATHARA, KERALA, PIN - 671531 5 P.V. JAIN S/O P.M. VARGEES , PULLAM KUNNU HOUSE , ANAKKUZHI , KANGIAPPOYIL POST, ANADASHRAMAM KAZRGOD DISTRICT, PIN - 6 U.THAMPAN AGED 74 YEARS S/O KRISHNAN ,KUTTIYADUKKAM HOUSE , THAYANOOR POST ,ANANDASHAMAM VIA KAZARGOD DISTRICT, PIN - 671531 7 P.G. GANGADARAN KAMALAPLAVU HOUSE ,KALICHNADUKKAM POST , NEELESWARAM VIA KAZARGODF DISTRICT, PIN - 671314

8 SUNIL.P. AGED 32 YEARS S/O ALAMI,URUTTIKUNNU HOUSE ,KANGIRAPPOYIL POST ,ANADASHAMAM VIA ,KAZARGOD DISTRCT, PIN - 671531 9 RAJU S/O MULIYAN CHOORAPPADAVU HOUSE ,KANGIRAPPOYIL POST ,ANANDASHRAMAM VIA, KAZARGOD DISTRICT ,, PIN - 10 SAJI URUTTIKUNNU HOUSE , KANGIRAPPOYIL POST ,ANANDASHAMAM VOA KAZARGOD DISTRICT, PIN - 671531 11 RAJU AGED 37 YEARS S/O ALAMY, CHOORAPPADAV HOUSE ,ANANDARAMAM VIA , KAZARGODE DISTRICT, PIN - 671531 12 RAGHAVAN AGED 38 YEARS S/O KAMMADAN ,CHOORAPPADAPP HOUSE KANGIRAPPOYIL POST , ANANDASHRAMAM VIA KAZARGOD DISTRICT, PIN - 13 AMBU S/O MULIYAN, CHOORAPPADAV HOUSE ,KANGIRAPPOYIL POST , KAZARGOD DISTRICT, PIN - 671531 THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

04.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 4th day of April, 2022 Learned counsel for the petitioners submit that this writ petition may be permitted to be withdrawn without prejudice to the right of the petitioners to approach afresh with proper pleadings and materials on record. Permission granted. The writ petition is dismissed as withdrawn without prejudice to the right of the petitioner to move afresh with proper pleadings and materials on record. Sd/- ANU SIVARAMAN JUDGE SSK/04/04 APPENDIX PETITIONER'S EXHIBITS: THE TRUE COPY OF THE COMPLAINT FILED BY FIRST Exhibit.P.1 PETITIONER BEFORE THE CHAIRMAN OF THE LEGAL SERVICE COMMITTEE TRUE COPY OF THE COMPLAINT FILED BY THE SECOND Exhibit.P.2 PETITIONER BEFORE THE THIRD RESPONDENT Exhibit.P.3 SECOND PETITIONER BEFORE THE DISTRICT COLLECTOR KAZARGOD Exhibit.P.4 SECOND PETITIONER BEFORE THE 4TH RESPONDENT THE TRUE COPY OF THE OP RECORD ISSUED BY THE Exhibit.P.5 DISTRICT HOSPITAL HOSDURG THE TRUE COPY OF THE STATEMENT OF THE THIRD Exhibit.P.6 PETITIONER BEFORE THE 4 TH RESPONDENT TRUE COPY OF THE FIR LODGED BY THE 4TH Exhibit.P.7 RESPONDENT AS PER THE COMPLAINT FILED BY THE THIRD PETITIONER THE TRUE COPY OF THE COMPLAINT LODGED BY THE Exhibit.P.8 FIRST PETITIONER BEFORE THE THIRD RESPONDENT TRUE COPY OF THE COMPLAINT FILED BY THE Exhibit.P.9 PETITIONERS BEFORE THE 4TH RESPONDENT STATION HOUSE OFFICER Exhibit.P.10 Exhibit.P.11 Exhibit.P.12 THIRD RESPONDENT BEFORE THE 4TH RESPONDENT Exhibit.P.13 SECOND PETITIONER BEFORE THE 4TH RESPONDENT THE RUE COPY OF THE COMPLAINT FILED BY THE Exhibit.P.14 SECOND PETITIONER BEFORE THE 4TH RESPONDENT THE TRUE COPY OF THE REPLAY ISSUED BY THE Exhibit.P.15 ASSISTANT DIRECTOR OF PANCHAYATH KAZARGOD THE TRUE COPY OF THE REPLY ISSUED BY THE Exhibit.P.16 COLLECRATE KAZAR GODE TRUE COPY OF THE FIR HAVING NO 708/2020 OF 4TH Exhibit.P.17 RESPONDENT RESPONDENTS' EXHIBITS: NIL SSK //TRUE COPY// PA TO JUDGE

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