

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR.S.MANIKUMAR

&

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

Thursday, the 22nd day of July 2021 / 31st Ashadha, 1943WP(C) NO. 14170 OF 2021(S)PETITIONER:

JAFFER KHAN, AGED 52, S/O.OUKKAR HAJI,
KARUVELIL HOUSE, ARAKKAPPADI VILLAGE,
VENGOLA P.O.-683 547.

RESPONDENTS:

1. STATE OF KERALA, REP. BY SECRETARY,
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT,
TRIVANDRUM-695 001.
2. * THE SECRETARY, DEPARTMENT OF HOME AFFAIRS, (DELETED)
GOVERNMENT SECRETARIAT, TRIVANDRUM-695 001.
3. * THE ADDITIONAL SECRETARY, DEPARTMENT OF HOME AFFAIRS, (DELETED)
GOVERNMENT SECRETARIAT, TRIVANDRUM-695 001.
- * RESPONDENT NOS.2 & 3 ARE DELETED FROM THE ARRAY OF PARTIES
AS PER ORDER DATED 22/07/2021 IN WPC.
4. THE STATE POLICE COMPLAINTS AUTHORITY, REP. BY CHAIRMAN,
COTTON HILL, VAZHUTHACAUD, TRIVANDRUM-695 014.
5. THE SECRETARY, THE STATE POLICE COMPLAINTS AUTHORITY,
COTTON HILL, VAZHUTHACAUD, TRIVANDRUM-695 014.
6. THE STATE POLICE CHIEF, KERALA STATE,
POLICE HEAD QUARTERS, VELLAYAMBALAM, TRIVANDRUM-695 010.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents to complete the process of appointment of independent Chief Investigating Officer to assist the State Police Complaint Authority, in accordance with the notification under Exhibit P10 and the proceedings initiated there under, during the pendency of this writ petition, in the interest of justice.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.PRAVEEN K.JOY, T.A.JOY, E.S.SANEEJ, M.P.UNNIKRISHNAN, M.K.SAMYUKTHA, N.ABHILASH & DEEPU RAJAGOPAL, Advocates for the petitioner and of SRI.ARAVINDA KUMAR BABU, SENIOR GOVERNMENT PLEADER for R1 & R4 to R6, the court passed the following:

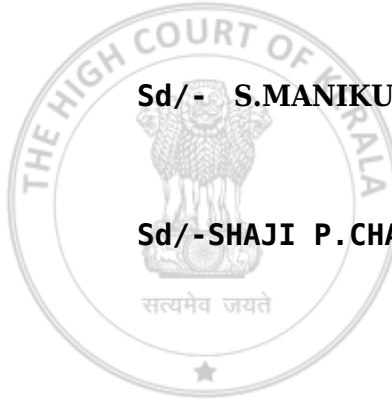
ORDER

Secretary to Government, Department of Home Affairs, Thiruvananthapuram is already arrayed as respondent No.1.

Respondent Nos.2 and 3 unnecessary parties and therefore, we direct the registry to delete them from the array of parties.

Sri.Aravinda Kumar Babu, learned Senior Government Pleader takes notice for the respondents. Learned Government Pleader to get instructions and file a statement or affidavit as the case may be to the averments and reliefs sought for in the writ petition.

Post the matter on 09/08/2021.



Sd/- S.MANIKUMAR, CHIEF JUSTICE

Sd/-SHAJI P.CHALY, JUDGE

EXHIBIT P10: THE TRUE PHOTOCOPY OF THE NOTIFICATION INVITING APPLICATION FROM CANDIDATES TO BE APPOINTED AS THE CHIEF INVESTIGATION OFFICER (CIO-SPCA) DATED 17/04/2017.