

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.14646-14647/2000
(From the judgement and order dated 04/04/2000 in WA 993/99& dt.
5.6.2000INRP181/2000 of The HIGH COURT OF KERALA AT ERNAKULAM)

M.A. WAHID

Petitioner (s)

VERSUS

STATE OF KERALA & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 08/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s) Mr.George Poonthottam,Adv.
Mr. Vinod M.P.,Adv.
Mr.Manikrishnan,Adv.

For Respondent (s) Mr. Harish Salve,S.G.
Mr. G. Prakash,Adv.
Ms.Beena Prakash and Jyothish A.P.,Advs.

Mr. P. Parmeswaran,Adv.

For R-3 Mr.K.K.Venugopal,Sr.Adv.
Mr. E.M.S. Anam,Adv.
Mr. N.Nandakumara Menon,Adv.

Mrs Anil Katiyar,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....J.
.SP2

Leave granted.
The appeals are disposed of.

.SP1

(Y.P.Dhamija) (Suneet Bala Sharma)@@
AA
COURT MASTER COURT MASTER
Signed order is placed on the file.

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.PL56

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS313-314/2001@@

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(arising out of SLP(C) Nos.14646-14647/2000)

M.A. Wahid

...Appellant

Vs.

State of Kerala & Ors.

...Respondents

O R D E R@@

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.....L.....I.....T.....T.....T.....T.....J.

.SP2

Leave granted.

The Corporation Councillor is in appeal against the impugned direction of the Kerala High Court. Being aggrieved by the inaction on the part of the State Government to take action against the defaulting authorities, the Councillor had moved the Kerala High Court. The Division Bench of the Kerala High Court considered the reports submitted by the Accountant General (Audit) and came to the conclusion that the said report submitted is an elaborate one and valuable suggestions have been given therein to be complied with by the Corporation and the State Government. In view of this observation of the Kerala High Court and since the Accountant General (Audit) has looked into and has given a detailed report, we see no justification in the prayer of the Councillor to get the matter enquired by any other investigating agency. Obviously, the Accountant General (Audit) is the most competent person to go into this matter and express opinion/views. If there has been any inaction on the part of the State Government, it is open to the

- 2 -

Councillor to move the High Court concerned. The appeals are accordingly disposed of.

.SP1

.....J.

(G.B. PATTANAIAK)

New Delhi,
January 08,2001

.....J.

(U.C. BANERJEE)