

THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) No. 7000 OF 2006

IN THE MATTER OF:

N.Krishna Prasad

Petitioner

Versus

State of Kerala & Anr.

Respondents

WRITTEN SUBMISSION ON BEHALF OF THE PETITIONER

MOST RESPECTFULLY SHOWETH:

1. That the petitioner preferred this Special Leave Petition against the impugned final judgement/orders dated 01.08.2033, 01.04.2004 and 17.10.2005 passed by the Hon'ble High Court of Kerala at Ernakulam on O.P. No. 9552/ 2000, R.P. No. 708/2003 in O.P. 9552/2003 and C.M.A. No. 6092/05 in R.P. No. 708.2003 in O.P. No. 9555/2002. This Hon'ble Court was pleased to issue notice and tag the Petition to C.A. 5006/04 on 10.04.2006.
2. It is humbly submitted that the Hon'ble High Court of Kerala has categorically declared that the Exhibit P1 and P2

C.A. No. 5006/2004

The appeal is dismissed as having become infructuous, in terms of the signed order.

In view of the above, all pending IAs also do not survive and stand disposed of.

SLP(C) No. 7000/2006

Heard petitioner-in-person.

The petitioner-in-person has challenged the orders dated 1st August, 2003 and 1st April, 2004 in O.P. No. 9552/2002 and Review Petition No. 708 of 2003 and also order dated 17th October, 2005.

The petitioner-in-person filed a Public Interest Litigation challenging the orders contained in Annexure P-1 and P-2 providing certain austerity measures. The matter came up for hearing before the Court on 1st August, 2003. The Court was informed that the orders dated 16th January, 2002 (Annexure P-1) and January 30, 2002 (Annexure P-2) were no more in existence rather the same had been modified and the orders had been passed as the State was facing the financial difficulties. Taking note of modification of the orders under challenge, the High Court had no option but to close the case. Aggrieved, the petitioner filed the review petition which was dismissed by the High Court and second Review Petition was also dismissed.

In view of the fact that the order which was challenged by the petitioner had been modified, the only option left to the petitioner was to challenge the modified order, if so advised, as the orders under challenge were no more in existence.

In view of the above, we do not see any fault with the impugned orders. The special leave petition is dismissed accordingly.

(O.P. Sharma)	(Deepak Mansukhani)	(M.S. Negi)
Court Master	Court Master	Court Master
IN THE SUPREME COURT OF INDIA		

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 5006 OF 2004

UMESH CHALLIYIL

Appellant (s)

of Indian currency. Such translation of Indian constitution for official purpose is forgery. The minister designate led by Sri A.K. Antony who entered office of the Minister of State of Kerala taking a forged oath/ affirmation of office in Malayalam, a language in the Eighth Schedule of Indian Constitution, in violation of Article 164(3) of the Constitution were usurpers of office. If this action is treated as assumption of office it will be negation of Indian Constitution and hence they can only be treated as fake ministers. This illegal conduct by them of usurping the political power of a state in Schedule One of Indian Constitution rejecting due constitutional mandate tantamounts to high treason. Moreover, in the oath/affirmation of the fake Ministers of the Cabinet headed by Sri A.K. Antony it is vowed that they will rule the people 'without love' instead of 'without favour'. The words 'without love' in the forged oath of these fake Ministers excited disaffection towards the Government established by law in India and hence these fake Ministers, the petitioner apprehends, have committed the crime of sedition. The impugned judgement in R.P. No. 708/2003 dated 01.04.2004 against judgement in OP No. 9552/2002 has not scrutinized these critical matters having far reaching implication to the rule of law of our great nation. This failure in duty of the Hon'ble High Court of Kerala facilitated many political leaders

5. The Civil Appeal No. 5006/2004 Umesh Chulliyil vs. Haridasan Palayil to which this SLP has been tagged, is only in respect of the mode of oath taking or form of attestation by which he signified that he is bound in conscience to perform his act faithfully and truthfully, made by a MLA from Kerala in which he took the oath in the name of Sree Narayana Guru instead of God. The oath of office he took was absolutely in conformity with the text of oath. But in the case of the ministers designate led by Sri A.K. Antony the text of their oath/affirmation of office was per se forged.
6. The most tragic and satanic irony of all ironies in this situation is that a man who justified in the Hon'ble High Court of Kerala, his unconstitutional oath to rule all manner of people 'without love', is in the Council of Ministers of the Prime Minister of India to tender advice while dealing with the mercy petition of those persons who are in the death rows in the jails of India. Therefore, the 2nd respondent in the Council of Ministers of the present Prime Minister of India will be an impediment in the holy path of mercy of this Sovereign Republic of India. The Hon'ble Supreme Court of India will be in a most unenviable and embarrassing situation if someone challenges on this ground, the execution of such person in death row after the rejection of Mercy Petition by the President of India. It is fortunate that His Excellency the Vice

^{India}
President of ~~Kerala~~ has directed the Home Ministry of Union
Govt. of India to examine this matter of life and death of
Indian citizens. This was subsequent to the prayer to His
Excellency from this petitioner.

Filed by:

N.KRISHNA PRASAD
PETITIONER IN PERSON

Place: New Delhi

Dated: 11.12.2012