

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 5563/2023

(Arising out of impugned final judgment and order dated 17-02-2023 in IA No. 1/2023 in W.P.(C)No.13221/2022 passed by the High Court of Kerala at Ernakulam)

YESHWANTH SHENOY

Petitioner(s)

VERSUS

STATE OF KERALA & ORS.

Respondent(s)

**(IA No. 122080/2023 - APPLICATION FOR PERMISSION
IA No. 58002/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT**

**IA No. 58003/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 101912/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS)**

Date : 15-05-2024 This matter was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN**

For Petitioner(s)

Mr. Yeshwanth Shenoy, in-person

For Respondent(s)

**Mr. R. Basant, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.**

**Ms. Usha Nandini V., AOR
Mr. Alex M Scaria, Adv.
Ms. Saritha Thomas, Adv.
Mr. John Thomas Arakal, Adv.**

**Mr. Sanand Ramakrishnan, Adv.
Mr. Rajeev Mishra, Adv.
Mr. Sunil Narayanan S, Adv.
For M/S. Axess Legal Corp, AOR**

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

Heard The learned senior counsel appearing for the first respondent-State of Kerala states that the first respondent will withdraw Writ Petition (Civil)No.13221 of 2022 and will file a statutory appeal before this Court.

It is true that the petitioner who is a member of the Bar and the President of the High Court Bar Association had made very serious allegations not only against the State but also against the Law Officers of the State including the Advocate General, the members of the Bar and the Judges.

An affidavit dated 10th May, 2024 has been filed by the petitioner. Paragraph 1 of the said affidavit reads thus:

"I say that in terms of the directions of this Hon'ble Court dated 10.05.2024 I withdraw all statements and averments made in the Affidavits and Application that is even remotely interpreted to insinuate the State, the Advocate General, the Law Officers of the State or the Judges."

We accept the statements made in the said affidavit as unconditional withdrawal by the petitioner of all the allegations which he has made against the Advocate General, the Law Officers, the members of the Bar and the Judges of the High Court.

As the respondent-State is withdrawing the Writ Petition, obviously all interim orders passed on the Writ Petition by the High Court will come to an end.

Accordingly, we dispose of the Special Leave Petition by passing the following order:

1. Writ Petition (C)No.13221 of 2022 filed by the first respondent before the High Court of Kerala is disposed of as withdrawn;
 2. It will be open for the first respondent to prefer a statutory appeal against the order which was impugned before the High Court. As far as the appeal which may be preferred by the first respondent is concerned, we leave open all the contentions/objections of the parties which will be gone into as and when such appeal is filed.
 3. We accept the statements made in paragraph 1 of the affidavit dated 10th May, 2024 filed by the petitioner and take the statements therein on record of this Court; and
 4. As a consequence of withdrawal of the Writ Petition by the first respondent, the interim orders passed on the Writ Petition stand vacated.
- Pending applications also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER