

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 2704 of 2015 (K)

PETITIONER :

**SATHEESAN, S/O.KUTTAN, AGED 53 YEARS,
KURIANNOOKUNNEL, PAMPADY P.O.,
PAMPADY, KOTTAYAM DISTRICT.**

**BY ADVS.SRI.LIJI.J.VADAKEDOM
SRI.RAJEEV JYOTHISH GEORGE**

RESPONDENT(S):

- 1. LEENA VARGHESE, W/O.VARGHESE, AGED 55 YEARS,
CHAKKAYIL HOUSE, PAMPADY VILLAGE,
PAMPADY P.O., KOTTAYAM-686 502**
- 2. SUB INSPECTOR OF POLICE,
PAMPADY POLICE STATION, PAMPADY, KOTTAYAM-686 502**
- 3. CIRCLE INSPECTOR OF POLICE-PAMPADY,
OFFICE OF THE CIRCLE INSPECTOR, PAMPADY,
KOTTAYAM -686 502**
- 4. DEPUTY SUPERINTENDENT OF POLICE,
DCRB KOTTAYAM,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
KOTTAYAM-686 001**

R2 TO R4 BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1: THE COPY OF THE SALE DEED NO.1779/2004 OF THE SRO. PAMPDY (ALONG WITH THE ENGLISH TRANSLATION)
- EXT P2: THE COPY OF THE TAX RECEIPT DATED 30.07.2014 (ALONG WITH ENGLISH TRANSLATION)
- EXT P3: THE COOPY OF POSSESSIN CERTIFICATE DATED 03.01.2011 ISSUED BY TEH VILLAGE OFFICER PAMPADY (ALONG WITH ENGLISH TRANSLATION)
- EXT P3(A) THE COPY OF THE LOCATION SKETCH PREPARED (ALONG WITH TRANSLATED COPY) FOR SUBMITTING ALONG WITH THE LOAN APPLICATION
- EXT P4: THE COPY OF THE RELEVANT EXTRACT OF THE ENCUMBRANCE CERTIFICATE DATED 19.01.2011 SHOWING THE REGISTRATION OF GAHAN NO.71/11 IN FAVOUR OF SCB PAMPADY (ALONG WITH ENGLISH TRANSLATION)
- EXT P5: THE COPY OF THE PLAINT IN OS.812/14 BEFORE THE MUNISFF'S COURT, KOTTAYAM
- EXT P6: THE COPY OF THE INTERIM INJUCTION ORDER DATED 12.12.2014 IN OS.812/2014 BEFORE TEH MUNSIFF'S COURT, KOTTAYAM
- EXT P6(A) THE COPY OF THE APPLICATION SEEKING EXTENSION OF INJUCTION ORDER FILED BY THE PETITIONER
- EXT P7: THE COPY OF THE ORDER DATED 24.12.2014 IN CRL.MP. 2847/2014 BEFORE THE SESSIONS COURT, KOTTAYAM
- EXT P8: THE COPY OF THE ORDER DATED 08.01.2015 IN CRL.MP. 2882/2014 BEFORE TEH SESSIONS COURT, KOTTAYAM
- EXT P9: THE COPY OF THE NOTICE DATED NIL ISSUED BY THE 4TH RESPONDENT TO THE PETITONER (ALONG WITH ENGLISH TRANSLATION)

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

ASHOK BHUSHAN, Ag.CJ

& A.M.SHAFFIQUE, J.

W.P.C.No.2704 of 2015

Dated this the 30th day of January 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to the 1st respondent in view of the judgment being passed today.

2. This writ petition has been filed alleging police harassment. Petitioner seeks for a direction to respondents 2 to 4 not to harass the petitioner by summoning to the police station time and again.

3. The learned Government Pleader, after obtaining instructions, submitted that a complaint was received by the police from the 1st respondent that the petitioner has demolished the compound wall of the 1st respondent using JCB machine. It is submitted that, in that connection, the

petitioner was asked to appear before the police station to record his statement and to ascertain the facts.

4. The learned counsel for the petitioner submits that twice he had submitted applications for anticipatory bail and the same were not entertained as per Exts.P7 and P8 on the ground that no crime is registered. Be that as it may, police called the petitioner to appear on receiving a complaint from the 1st respondent. It is open for the petitioner to take a decision as to appear or not and it will be open for the police authorities to proceed in accordance with law.

With these observations, this writ petition is closed.

**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(A.M.SHAFFIQUE, JUDGE)

jsr

