

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

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 4457 of 2015 (F)

PETITIONER(S) :-

RAVI.V.K., S/O. VAVA, SRIVIHAR HOUSE, VELLOONNI PO
KOTTAYAM PIN-686 008

BY ADV. SRI.GOKUL DAS V.V.H.

RESPONDENT(S) :-

1. DISTRICT POLICE CHIEF
KOTTAYAM, PIN-686002
2. CIRCLE INSPECTOR OF POLICE,
GANDHINAGAR POLICE STATION, KOTTAYAM PIN-686008
3. SUB INSPECTOR OF POLICE
GANDHINAGAR POLICE STATION, KOTTAYAM PIN-686008
4. PAPPAN C.K.,, AGED ABOUT 60 YEARS
S/O. KUNJILANI, CHERICKAL, ARPOOKKARA VILLAGE
ARPOOKKARA (WEST) P.O., KOTTAYAM TALUK, PIN-686 008.
5. KERALA CHERAMAR SANGHAM, REPRESENTED BY ITS SECRETARY C.K. SALI
S/O.KUNJAN, CHERICKAL, ARPOOKKARA VILLAGE
ARPOOKKARA (WEST) PO, KOTTAYAM PIN-686 008

R1 TO R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1: TRUE COPY OF THE PLAINT IN OS.NO. 565/2011 BEFORE THE
PRINCIPAL SUBORDINATE JUDGE'S COURT, KOTTAYAM.

EXHIBIT P2: TRUE COPY OF THE ORDER DATED 22.8.2014 IN I.A. NO.1191/2014 IN
OS NO.565/2011 BEFORE THE PRINCIPAL SUBORDINATE JUDGES COURT, KOTTAYAM.

EXHIBIT P3: TRUE COPY OF THE PROOF AFFIDAVIT OF THE 1ST PLAINTIFF IN O.S.NO.
565/2011 BEFORE THE PRINCIPAL SUBORDINATE JUDGE'S COURT, KOTTAYAM.

EXHIBIT P4: TRUE COPY OF THE4 JUDGMENT DATED 5.4.1999 IN O.P. NO. 7342/1999
BEFORE THIS HON'BLE COURT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.4457 of 2015

Dated this the 19th day of February 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard the learned counsel for the petitioner and the learned State Attorney.

2. No notice is required to be issued to respondent Nos.4 and 5 in view of the nature of order being passed in the writ petition.

3. This writ petition is filed alleging police harassment and seeking for a direction to the 3rd respondent to abstain from causing any harassment to the petitioner. Petitioner's case in the writ petition is that, with regard to certain item of property, a civil dispute is pending between the petitioner as well as the 4th respondent. It is submitted that the decree in O.S.No.565 of 2011 was set aside and the matter is still pending adjudication. It is submitted that the 3rd respondent is trying to unduly interfere with the civil dispute between the parties.

4. Learned State Attorney after obtaining instructions would submit that a complaint was received from the 4th

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respondent that the petitioner had trespassed into the property, with regard to which, both the parties were called to the station on 23.1.2015. Both the parties informed the police that a civil dispute between the parties is pending before the civil court. It is submitted by the learned State Attorney that the complaint has been closed advising the parties to get their dispute decided by the civil court. We do not find that it is a case of police harassment.

Recording the submission of the learned State Attorney, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE