

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

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No. 6002 of 2015 (A)

PETITIONER :

JOHN JACOB, S/O. JACOB SAMSON,
MANAGING DIRECTOR,
SAMSON & SONS BUILDERS AND DEVELOPERS PVT. LTD.,
TC 3/678, MUTTADA P.O.,THIURUVANANTHAPURAM.

BY ADVS.SRI.M.SREEKUMAR
SRI.A.ABDUL KHARIM

RESPONDENTS :

1. STATE OF KERALA, REPRESENTED BY SECRETARY
TO GOVERNMENT, HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. SUB INSPECTOR OF POLICE,
MUSEUM POLICE STATION,
MUSEUM P.O., THIRUVANANTHAPURAM - 695 004.
3. K.V. THOMAS, T.C. 12/1405/1,
BRIGADE LANE, KUNNUKUZHI,
THIRUVANANTHAPURAM - 695 035.

R1 & R2 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF BUILDING PERMIT NO.E11/BA/286/2013
DATED 21.01.2014 ISSUED BY THE CORPORATION OF TRIVANDRUM.

EXT.P1(A) : TRUE COPY OF ENGLISH TRANSLATION OF EXT.P1.

EXT.P2 : TRUE COPY OF LETTER DATED 27.11.2013 ISSUED BY THE
3RD RESPONDENT TO THE CORPORATION OF THIRUVANANTHAPURAM.

EXT.P2(A) : TRUE COPY OF ENGLISH TRANSLATION OF EXT.P2.

EXT.P3 : TRUE COPY OF PROCEEDINGS NO.B14-90724/14 DATED 18.06.2014
OF DISTRICT COLLECTOR, THIRUVANANTHAPURAM.

EXT.P3 (A) : TRUE COPY OF ENGLISH TRANSLATION OF EXT.P3.

EXT.P4 : TRUE COPY OF NOTICE (LETTER) NO.TP.E11/E14/165274/14
& E11/169083/14 & E11/BA/286/13 DATED 18.02.2015 OF THE
CORPORATION OF THIRUVANANTHAPURAM.

EXT.P4(A) : TRUE COPY OF ENGLISH TRANSLATION OF EXT.P4.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 6002 OF 2015

Dated this the 25th day of February, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court alleging harassment by police in the matter relating to construction of a building. According to him, unnecessarily police is interfering with the construction being carried on in his property which he is doing on the basis of valid licenses/permissions.

2. Learned Government Pleader after obtaining instructions would submit that local authority has issued a stop memo as early as on 15.12.2014 which order was modified by the authority by order dated 18.02.2015. It is stated that a complaint has been received stating that in spite of the stop memo, petitioner is continuing the work. Under such circumstances, Police interfered and directed the petitioner to stop construction. After the order was modified, no further action has been taken by Police.

Having regard to the aforesaid submission of learned Government Pleader, we do not think that there is any harassment in this case. The Writ Petition is dismissed.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**