

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

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No. 6504 of 2015 (K)

PETITIONER(S) :

JAMES JOSEPH, S/O.JOSEPH AGED 52 YEARS
MALAYAPPALLIL HOUSE, PULIKKALLU P.O,
MANIMALA VILLAGE
KANJIRAPPILLY TALUK, KOTTAYAM DISTRICT 686 544

BY ADVS.SRI.R.MURALEEKRISHNAN
SMT.T.M.RESHMY

RESPONDENT(S) :

1. THE DEPUTY SUPERINTENDENT OF POLICE
KANJIRAPALLY, KOTTAYAM DISTRICT 680 101.

2. CIRCLE INSPECTOR OF POLICE
MANIMALA, KOTTAYAM 680 101.

BY GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 02-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).No. 6504 of 2015 (K)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - TRUE COPY OF THE PLAINT IN
O.S.NO.258/2014 FILED BEFORE THE MUNSIF
COURT KANJIRAPALLY.

EXT.P2 - TRUE COPY OF THE COMPLAINT WITH
TRANSLATION DATED 13-2-2015 SUBMITTED BY
THE PETITIONER TO THE 1ST RESPONDENT.

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

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W.P. C. No. 6504 of 2015
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Dated this the 2nd day of March, 2015

JUDGMENT

A.M. Shaffique, J.

Petitioner claims to be a business man engaged in Quarry business. He has approached this Court alleging police harassment. It is stated that one Mohammed Basheer and his men has preferred a complaint before the Tribunal for Local Self Government Institutions as well as before the Munsiff Court Kanjirappally, alleging that the petitioner is functioning quarry without a license. Further it is contended that the 2nd respondent has threatened the petitioner and coerced him to settle all the

civil cases otherwise he will implicate him in criminal cases.

2. The Learned Government Pleader, on instructions, submits that petitioner's quarry was functioning without any license, and therefore, the functioning has been stopped, based on the complaint given by a person in the said locality. Now, the petitioner threatened the said person for which crime has been registered and finally he was charge-sheeted and the matter is now pending before the Judl. Magistrate of First Class as C.C. No. 1506/2013. Thereafter also, the complainant in that case made a complaint to the police stating that the petitioner has again threatened him. The petitioner was summoned to the police station and he was asked not to indulge in any such activities. At this stage, the petitioner has approached this Court.

3. Having regard to the aforesaid facts and circumstances, it is clear that the police had called upon the petitioner to the

police station to enquire into the complaint given by another person. Such summoning of the petitioner and making enquiry does not amount to harassment.

Under such circumstances, we do not think that the petitioner is entitled for any direction as sought for. Accordingly, this Writ Petition is dismissed.

Sd/- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/-A.M.SHAFFIQUE,
JUDGE

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/truecopy/

P.S.toJudge