

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

SATURDAY, THE 21ST DAY OF NOVEMBER 2015/30TH KARTHIKA, 1937

WP(C).No. 8260 of 2015 (F)

PETITIONER :

**M.V.ALIAS,
S/O.VARKEY, AGED 37 YEARS, MANIYELI HOUSE,
THURUTHI P.O, KURUPPAMPADY, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.GEORGE SEBASTIAN
SRI.BYJU KURIAKOSE**

RESPONDENT(S):

- 1. THE STATE POLICE COMPLAINTS AUTHORITY,
TC NO.XV/1402, TAGORE NAGAR, VAZHUTHACAUD,
THIRUVANANTHAPURAM -695 014.**
- 2. THE DISTRICT POLICE CHIEF (CITY),
THIRUVANANTHAPURAM-695 001**
- 3. THE ASISTANT COMMISSIONER OF POLICE,
POLICE CONTROL ROOM, THIRUVANANTHAPURM CITY-695 001**
- 4. BINU,
CPO T 2260, S/O.M.SURENDRAN,
PARAYADIYIL, REVATHY, PEROORKADA VILLAGE,
MANIKANTESWARA WARD, THIRUVANANTHAPURAM-695 001**

R1 TO R3 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 COPY OF THE COMPLAINT PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P2 COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE DY.SP., CHENGANNOR .
- EXHIBIT P3 COPY OF THE COMPLAINT DATED 23/5/2014 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- EXHIBIT P4 COPY OF THE ORDER DATED 3/7/2014 IN OP 246/2014 PASSED BY THE 1ST RESPONDENT
- EXHIBIT P5 COPY OF THE COMMUNICATION FROM THE OFFICE OF THE 2ND RESPONDENT TO THE 3RD RESPONDENT DATED 29/10/2014
- EXHIBIT P6 COPY OF THE APPLICATION DATED 23/1/2015 UNDER THE PROVISIONS OF THE RIGHT TO INFORMATION ACT.
- EXHIBIT P7 THE REPLY DATED 2/3/2015 GIVEN FROM THE OFFICE OF THE 3RD RESPONDENT UNDER THE PROVISIONS OF THE RIGHT TO INFORMATION ACT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 8260 of 2015

Dated this the 21th day of November, 2015

JUDGMENT

The petitioner has approached 1st respondent–The State Police Complaints Authority, alleging extortion and threat meted out to him at the instance of 4th respondent. The complaint was considered by the State Police Complaints Authority as per Ext.P4 and passed the following order :

“There are two petitions and the allegation is that a police constable by name Binu working under the District Police Chief, Thiruvananthapuram City is threatening the petitioner. Hence, these two petitions along with CD containing the details of conversation between the petitioner and Respondent will be forwarded to the District Police Chief, Thiruvananthapuram City for urgent appropriate action. Action taken in the matter will

be intimated to this Authority in due course.
Accordingly, the petition is hereby closed.”

2. The petitioner submits that pursuant to Ext.P4, the District Police Chief is bound to take action however, no action has been taken. Accordingly, the petitioner has approached this Court.

3. Notice issued to the 4th respondent has been refused to be received by him.

4. Considering the facts and circumstances, there shall be a direction to the 2nd respondent–The District Police Chief, to take appropriate decision based on Ext.P4 within one month, after hearing the petitioner as well as 4th respondent, unless the operation of Ext.P4 is interdicted by any other competent authority or this Court.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr