

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&**

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 10514 of 2015 (L)

PETITIONER:

**M.MAHADEVAN AGED 42 YEARS
S/O.T.MAHADEVAN, GOMATHY VILLA, NEAR THYCADU PO
THYCAUD, THIRUVANANTHAPURAM - 695 014.**

**BY ADVS.SRI.T.RAVIKUMAR
SMT.KAVYA P.PRASAD**

RESPONDENTS:

- 1. STATE OF KERALA
REP. BY ITS SECRETARY, HOME DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695001.**
- 2. THE CITY POLICE COMMISSIONER
THIRUVANANTHAPURAM - 695001.**
- 3. THE ASST. COMMISSIONER OF POLICE
OFFICE OF ASST. POLICE COMMISSIONER
THIRUVANANTHAPURAM - 695001.**
- 4. THE CIRCLE INSPECTOR OF POLICE
MUSEUM POLICE STATION
THIRUVANANTHAPURAM CITY 695001.**
- 5. CHANDRAN, NEAR SUBREMANIAN SWAMI TEMPLE
KOWDIAR, THIRUVANANTHAPURAM - 695 003**
- 6. SUBASH, NEAR PRESS CLUB ROAD
THIRUVANANTHAPURAM - 695 001.**

R1 TO R4 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 10514 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS

P1- TRUE COPY OF THE JUDGMENT DATED 19.1.2012

P2- TRUE COPY OF THE WIRELES MESSAGE DATED 20.1.2012

P3- TRUE COPY OF THE ORDER DATED 17.12.2014

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

JJJ

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

W.P(C).No.10514 of 2015

Dated this the 7th April, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and the learned Government Pleader.

2. This Writ Petition has been filed by the petitioner alleging police harassment and seeking the following reliefs:

- “i. To issue a writ in the nature of certiorari directing the police personnel to produce the complaint if any filed by respondents 5 and 6 and quash the same.*
- ii. To direct the police personnel not to harass the petitioner in violation of the orders of this Hon'ble Court in P1-P3.*
- iii. To drop all further proceedings which are illegal.”*

3. The allegations in the Writ Petition in paragraph 6 are against respondents 5 and 6 and in paragraph 7 it has been alleged that a person who claims to be a Police personnel of the police station is approaching the petitioner and threatening him.

4. The learned Government Pleader, after obtaining instruction, submitted that Crime No.778/2014 has been

registered against the petitioner, in which investigation is going on. He submitted that the petitioner had earlier filed W.P(C). No.21143 of 2014 alleging police harassment and the said Writ Petition was dismissed by this Court on 20.8.2014. The learned Government Pleader further submitted that the petitioner has conveniently concealed the judgment of this Court in W.P(C). No.21143 of 2014 by which the Writ Petition filed by the petitioner alleging police harassment has been dismissed.

We have gone through the allegations made in the Writ Petition. We do not find that there is sufficient material to come to the conclusion that there is any police harassment. The investigation by the Police consequent to registration of a crime cannot be held to be any kind of Police harassment. We dismiss the Writ Petition.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs7/4/15