

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:
THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 11110 of 2015 (K)

PETITIONER(S) :

1. NARAYANAN DEVARAJAN AGED 64 YEARS
S/O.NARAYANAN, ERUMATHADATHIL HOUSE
MUTTATHUKONAM PO CHENNERKKARA VILLAGE
KOZHENCHERY TALUK, PATHANAMTHITTA DISTRICT.

2. RATHEESH KUMAR, S/O.DEVARAJAN AGED 29 YEARS
ERUMATHADATHIL HOUSE
MUTTATHUKONAM PO CHENNERKKARA VILLAGE
KOZHENCHERY TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SMT.INDU SUSAN JACOB

RESPONDENT(S) :

1. RAJENDRAN, S/O.NARAYANAN
ERUMATHADATHIL HOUSE, SUBI BHAVAN
MUTTATHUKONAM P.O CHENNERKKARA VILLAGE
KOZHENCHERY TALUK, PATHANAMTHITTA DISTRICT. 689 641.

2. SUBI S. RAJ, S/O.RAJENDRAN
ERUMATHADATHIL HOUSE, SUBI BHAVAN
MUTTATHUKONAM P.O CHENNERKKARA VILLAGE
KOZHENCHERY TALUK, PATHANAMTHITTA DISTRICT. 689 641.

3. REVENUE DIVISIONAL OFFICER
ADOOR - 691 525.

4. DIRECTOR GENERAL OF POLICE
KERALA POLICE HEAD QUARTERS, TRIVANDRUM. 695 010.

5. DISTRICT POLICE CHIEF
PATHANAMTHITTA. 689 645

6. MR. SANTHOSH KUMAR
DYSP, PATHANAMTHITTA. 689 645

7. MR. THAJUDHEEN
HEAD CONSTABLE, PATHANAMTHITTA
PATHANAMTHITTA POLICE STATION. 689 645

R3 TO R5 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 11110 of 2015 (K)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - A TRUE COPY OF THE COMPLAINT MADE BY THE 2ND RESPONDENT TO THE DIRECTOR GENERAL OF SIGNALS MINISTRY OF DEFENCE.

EXT.P2 - A TRUE COPY OF THE NEWSPAPER REPORT PUBLISHED IN "THE HINDU" ON DATED JANURY 2ND, 2015

EXT.P3 -A TRUE COPY OF THE COMMUNICATION RECEIVED BY THE 2ND PETITIONER'S BROTHER FROM THE OFFICE OF THE 4TH RESPONDENT.

EXT.P4 - A TRUE COPY OF THE REPRESENTATION GIVEN BY THE 2ND PETITIONER TO THE 4TH RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No.11110 of 2015

Dated this the 6th April, 2015

JUDGMENT

Shaffique, J.

The petitioners have approached this Court alleging harassment by the Police. It is inter alia stated that an attempt has been made by respondents 6 and 7 to implicate the petitioners in a proceedings under Section 107 of the Code of Criminal Procedure and to include the petitioners in the rowdy list. It is stated that respondents 6 and 7 Police officers are misusing their power and harassing the petitioners.

2. If the petitioners are proceeded under Section 107 Cr.P.C, it is always open for the petitioners to challenge the said proceedings in accordance with the procedure prescribed. This Court cannot interfere with the said proceedings at this stage. The allegation is about the harassment by the Police. If there is any police

interference in any activities as alleged by the petitioners, the petitioners' remedy is to approach the competent authority by filing necessary complaint, which the petitioner has already done by way of Exhibit P4.

Under such circumstances, we do not think that it is necessary to issue any direction as prayed for in the Writ Petition. Accordingly, the same is dismissed with liberty to the petitioners to approach the competent authority in accordance with law.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs6/4/15