

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 11559 of 2015 (T)

PETITIONER:

**SUNILKUMAR, AGED 46 YEARS
S/O. SREEDHARAN, EDAVATHANAN POYIL HOUSE,
KANNANKARA AMSOM, DESOM, KANNANKARA P.O.,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENTS:

- 1. P.SASI, AGED 47 YEARS,
S/O. GOPALAN, PANAMBIL HOUSE,
KANNANKARA AMSOM, DESOM,
KANNANKARA P.O.,
KOZHIKODE DISTRICT, PIN 673 616.**
- 2. M.A. SHISHAN, AGED 55 YEARS,
S/O. UNNERIKKUTTY, PANCHAJANYAM, KACHERI AMSOM,
KURUMBRAKATTUSSERI DESOM,
KOZHIKODE DISTRICT PIN 673 613.**
- 3. THE SUB INSPECTOR OF POLICE,
KAKKOOR POLICE STATION,
KAKKOOR, KOZHIKODE PIN 673 613.**
- 4. THE SUPERINTENDENT OF POLICE (RURAL),
KOZHIKODE PIN 673 001.**
- 5. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM PIN 695 001.**

R3 TO R5 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JJJ

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

W.P. (C) No. 11559 of 2015 (T)

Dated this the 8th day of April, 2015

J U D G M E N T

A.M.Shaffique, J.

The petitioner has approached this Court alleging harassment by the Police.

2. It is *inter alia* contended that the petitioner has certain dispute with the 1st respondent regarding the quarrying operations being done by him. The petitioner had already filed a suit as O.S. No.778/2014 which is pending before the Munsiff's Court, Kozhikode, seeking partition of the plaint schedule property, of which the 1st respondent is a co-owner and also to restrain respondents 1 and 2 from trespassing into the plaint schedule property for carrying out quarrying operations. No interim order has been passed in this regard. However, the complaint of the petitioner is that, Police is unnecessarily interfering and calling upon the petitioner to permit quarrying operation to be done.

3. The learned State Attorney, on instructions, would submit that the petitioner was summoned to the Police Station only on the basis of the complaint filed by the petitioner against the 1st respondent. The matter was enquired into and it has been closed. It is also submitted that there is no quarrying operation being done, as the matter stands now.

4. Having regard to the aforesaid submission of the learned State Attorney, we do not think that this is a case involving harassment by Police. Therefore, no orders are required to be passed in this matter and accordingly this Writ Petition is closed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.