

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 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

WP(C).No. 13282 of 2015 (I)

PETITIONER(S) :-

DR.SHAFI TASHKENT, AGED 50 YEARS
S/O SAYED SULAIMAN, TASHKENT, SRP MARKET (PO)
KARUNAGAPALLY, KOLLAM DISTRICT.

BY ADVS.SRI.M.V.THAMBAN
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE
SRI.R.REJI

RESPONDENT(S) :-

1. THE DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM DISTRICT, PIN:695001.
2. THE DISTRICT POLICE CHIEF,
MALAPPURAM, PIN:676505.
3. THE SUB INSPECTOR OF POLICE
CHANGARAMKULAM POLICE STATION, MALAPPURAM DISTRICT
PIN:676505.
4. SASEENDRAN MELAYIL, AGED ABOUT 50 YEARS
SUB INSPECTOR OF POLICE
CHANGARAMKULAM POLICE STATION, MALAPPURAM DISTRICT
PIN:676505.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 13282 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1: TRUE COPY OF THE REGISTRATION CERTIFICATE DATED
1.7.1991.

EXHIBIT P2: TRUE COPY OF THE CERTIFICATE DATED 19.3.2015 ISSUED
BY THE SECRETARY, EDAPAL GRAMA PANCHAYAT.

EXHIBIT P3: TRUE COPY OF THE CERTIFICATE DATED 29.10.2014 ISSUED
BY THE SECRETARY, VATTAKULAM GRAMA PANCHAYAT.

EXHIBIT P4: TRUE COPY OF THE DRUG LICENSE OBTAINED BY THE
PETITIONER DATED 30.3.2015.

EXHIBIT P5: TRUE COPY OF THE CERTIFICATE DATED 2.2.2012 ISSUED BY
THE DRUGS CONTROLLER IN RESPECT OF MIDHUNAM GRANULES.

EXHIBIT P6: TRUE COPY OF THE RECEIPT DATED 28.2.2015.

EXHIBIT P7: TRUE COPY OF THE APPLICATION DATED 20.4.2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No. 13282 OF 2015

Dated this the 20th day of May, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader. No notice is being issued to respondent No.4 in view of the order which is being passed.

2. This writ petition has been filed by the petitioner alleging police harassment. Petitioner's case is that he is running an Ayurvedic Hospital at Karunagappally under the name and style "Prakirthi Ayurveda Clinic". Petitioner complains that, without any authority, on 27.02.2015 the 3rd respondent came to the hospital premises and threatened the staff to handover the license. It is submitted that the petitioner has all necessary permissions from Panchayat as well as local authorities concerned to run the clinic.

3. Learned Government Pleader, after obtaining instructions submitted that the 3rd respondent visited the premises after obtaining a search warrant from the Judicial First Class Magistrate Court, Ponnani. It is submitted that a crime has been registered, being Crime No.272/2015, against

the petitioner. Learned Government Pleader further submitted that after 27.02.2015, no action of any harassment was meted to the petitioner nor 3rd respondent visited the premises. He submitted that report has already been submitted by police authorities to the Judicial First Class Magistrate Court, Ponnani and no further action was taken by the 3rd respondent in the matter.

4. Learned counsel for the petitioner submits that 3rd respondent has no authority to visit the premises and whole proceedings are without jurisdiction. We are not inclined to enter into the above issue on merits. It is open for the petitioner to take such proceedings as permissible under law.

The 3rd respondent has visited the premises under the search warrant and we see no reason to entertain this writ petition. We close the Writ Petition.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**