

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. 13333 of 2015 (N)

PETITIONER :

ASHY MATHEW, AGED 45,
S/O.MATHEW P.SKARIA, ALLIANCE FINANCIAL CORPORATION
IGLOO TOWER, WEST TEMPLE ROAD, KOTTAYAM-1.

BY ADVS.SRI.PRAVEEN K. JOY
SRI.T.A.JOY

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY SECRETARY, HOME DEPARTMENT,
SECRETARIAT, TRIVANDRUM - 695 001.
2. THE SUPERINTENDENT OF POLICE, KOTTAYAM - 686 001.
3. THE CIRCLE INSPECTOR OF POLICE,
KOTTAYAM WEST POLICE STATION, KOTTAYAM DISTRICT - 686 001.
4. THE SUB INSPECTOR OF POLICE,
KOTTAYAM WEST POLICE STATION, KOTTAYAM DISTRICT - 686 001.
5. ANANDAVALLY.K,, AGED 35 YEARS
W/O.DILEEP, VALIYAKULAM H, NOORAMAY.P.O
MALLAPPALLY, PATHANAMTHITTA - 681 001.
6. RAJU CHACKO,
KOCHALAMOOTTIL, VAZHOOR, VAZHOOR.P.O
KOTTAYAM - 686 001.
7. MOHAN JOSEPH,
VATUKALATHIL HOUSE, THAZHATHANGIRI.P.O, KOTTAYAM - 686 001.
8. PRASANTH.S,
KRISHNA BHAVAN, PALLARI, MANGALAM.P.O
ALAPUZHA - 682 051.

9. BENZI.K.J,
KADAPURATH THAYYIL, KATTOR.P.O, ALAPUZHA - 682 051.
10. DEEPAK MATHEW,
ARPATHANATHU HOUSE, VANNAPURAM.P.O, IDUKKI - 685 001.
11. SEBASTIAN ISSAC,
ATTUPURATH PANCHIKAVU.P.O, CHANGANACHERRY
KOTTAYAM DISTRICT - 686 001.
12. C.C.PHILIP,
CHIRAATTAMANNEL HOUSE, MALLAPALLI.P.O,
PATHANAMTHITTA - 685 001.
13. ARUN P.MOHAN,
SREEVALSAMAN, MANTHUKA.P.O, PANORAJAM
PATHANAMTHITTA - 685 001.
14. RAJU.P.T,
PALLIKAVIL HOUSE, PIRAVOM.P.O, ERNAKULAM - 682 014.

R1 TO R4 BY 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:

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APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 THE TRUE PHOTOCOPY OF THE COMPLAINT BEFORE THE 4TH RESPONDENT

EXT.P2 THE TRUE PHOTOCOPY OF THE COMPLAINT DATED 24.4.2015 BEFORE THE
2ND RESPONDENT.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

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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 respondents 5 to 14 in view of the order which is being passed.

2. This writ petition has been filed by the petitioner alleging police harassment. Petitioner has prayed for a mandamus directing respondents 2 to 4 not to interfere in civil dispute between the petitioner and respondents 5 to 14. Petitioner's case is that he is running a chitty business in which connection private respondents have claimed certain payments. The 5th respondent came to the office of the petitioner and claimed payment of money. The petitioner filed a complaint on 24.04.2015 before the Circle Inspector of Police and Sub Inspector of Police against the private respondents also alleging that, at the instance of private

respondents, petitioner has been asked to come to the police station on 30.04.2015 for monetary settlement.

3. Learned Government Pleader after obtaining instructions submitted that a complaint was filed by the 5th respondent against the petitioner. In the complaint it was alleged that the cheque which was given to 5th respondent by the petitioner could not be encashed. The Government Pleader further submitted that only when the complaint by party respondents is received, the petitioner has been called to the police station. The petitioner informed the police authorities that the matter has been taken by KELSA and 14.06.2015 is the date fixed for settlement. Learned Government Pleader submits that no case of police harassment has been meted out to the petitioner.

From the facts brought on record and the submissions of learned Government Pleader we are of the view that, present cases cannot be said to be a case of police harassment. As the matter having been taken by KELSA and

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-:3:-

date has been fixed, we see no reason to entertain this Writ Petition. With this observation, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

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

ttb/20/05