

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 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 14565 of 2015 (U)

PETITIONER(S):

**RAYINKUTTY, AGED 52 YEARS,
S/O.KUNHISOPI, KOOTHUMADATHIL HOUSE, KADANNAMUTTY,
PANGUCHENDI P.O., MALAPURAM DISTRICT.**

**BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA**

RESPONDENT(S):

- 1. SUPERINTENDENT OF POLICE, MALAPPURAM,
DISTRICT - 676 001.**
- 2. SUB INSPECTOR OF POLICE,
KADAMPUZHA, MALAPPURAM DISTRICT - 676 001.**

BY GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 14565 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1: TRUE COPY OF THE AGREEMENT DATED 6/11/2014 EXECUTED BY THE
PETITIONER WITH THE VIJAYAN WITH ENGLISH TRANSLATION.**

**EXT. P2: TRUE COPY OF THE COMPLAINT FILED BEFORE THE 1ST RESPONDENT ON
9/2/2015 BY THE PETITIONER WITH TRANSLATION**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

**ASHOK BHUSHAN, CJ
& A.M.SHAFFIQUE, J.**

*** * * * ***

W.P.C.No.14565 of 2015

Dated this the 25th day of May 2015

J U D G M E N T

Shaffique,J

This writ petition is filed alleging harassment by the police. It is inter alia submitted that petitioner had entered into an agreement with another person for extracting laterite stones from his property. Though the petitioner had complied with the terms of the contract, the other party did not perform. However, at the instance of the other party, the 2nd respondent is unnecessarily harassing the petitioner and compelling him to pay amounts to the complainant. For this purpose, petitioner was unnecessarily summoned to the police station on several occasions. Though complaint has been given to the higher authorities, no action has been taken in the matter. Therefore the petitioner has approached this Court.

2. The learned Government Pleader, on instructions, would submit that in respect of the contract with another person, the police has not interfered in the matter. However, there was a complaint filed by another person against the petitioner alleging that he had violated the provisions of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 and for investigation of the said crime, petitioner was summoned to the police station. Police has nothing to do with the contractual obligation in respect of the extraction of laterite stones and no such steps have been taken by the police.

3. Having regard to the apprehension expressed by the police, we do not think that police can interfere with the civil disputes between the petitioner and the complainant.

4. The learned Government Pleader submits that no interference is being made by the police in the matter relating to the contractual obligation in respect of the extraction of laterite stones. As far as other crimes are

concerned, police is bound to investigate into the matter.

Having regard to the aforesaid submission made by the learned Government Pleader, the writ petition is closed.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

