

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 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

WP(C).No. 16130 of 2015 (M)

PETITIONER(S) :

SATHYAPALAN.P.K. AGED 53 YEARS
S/O.MADHAVAN NAIR (LATE), 'KARUVANS'
CHERIYA ARUMBAYIL, P.O.ULLIYERI, KOILANDY (VIA)
KOZHIKODE DISTRICT, PIN - 673 620.

BY ADV. SRI.K.G.ANIL BABU

RESPONDENT(S) /RESPONDENTS:-:

1. THE KERALA STATE HONOURABLE HUMAN RIGHTS COMMISSION
THIRUVANANTHAPURAM - 695 001
REPRESENTED BY ITS REGISTRAR.

2. THE DISTRICT POLICE COMPLAINT AUTHORITY
KOZHIKODE DISTRICT, KOZHIKODE - 673 001
REPRESENTED BY ITS SECRETARY.

3. THE STATE POLICE CHIEF
POLICE HEAD QUARTERS, NANDAVANAM
THIRUVANANTHAPURAM - 695 001.

4. SRI.SIVAPRASAD
CIRCLE INSPECTOR OF POLICE, CITY TRAFIC
KOZHIKODE CITY, KOZHIKODE - 673 001.

5. SHEEBA
CLERK, CITY POLICE COMMISSIONER'S OFFICE
KOZHIKODE - 673 001.

6. SREE HARI
CITY TRAFFIC OFFICE, CITY TRAFFIC
KOZHIKODE - 673 001.

7. THE DISTRICT COLLECTOR
KOZHIKODE - 673 001.

8. THE COMMISSIONER OF POLICE
KOZHIKODE CITY, KOZHIKODE - 673 001.

9. THE SUPERINTENDENT OF POLICE
KOZHIKODE RURAL, KOZHIKODE - 673 001.

10. SHRI.RAFEEQUE T.K.
S/O.AMMED KOYA, K.K.HOUSE, P.O.KANNADIPOYIL
PANANGAD, BALUSSERY, KOZHIKODE DISTRICT
PIN - 873 612.

R1 to R3 AND R7 TO R9 BY SR.GP SRI.C.R.SHYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 16130 of 2015 (M)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. THE TRUE COPY OF THE COMPLAINT SUBMITTED BY THE
PETITIONER BEFORE THE 1ST RESPONDENT ALONGWITH ITS EXHIBITS DATED
15.12.2014.

EXHIBIT P2. THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT DATED 15.12.2014 ALONGWITH THE
DOCUMENTS ATTACHED THERETO.

EXHIBIT P3. THE TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE
HON'BLE CHIEF MINISTER DATED 15.12.2014.

EXHIBIT P4. THE TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE
HON'BLE MINISTER FOR HOME & VIGILANCE DATED 15.12.2014.

EXHIBIT P5. THE TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 3RD
RESPONDENT DATED 15.12.2014.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No. 16130 of 2015

Dated this the 1st June, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court alleging harassment by the Police. It is inter alia contended that the petitioner is a stage carriage operator and unnecessarily the vehicle is being detained for reasons best known to the officers.

2. The learned Government Pleader, on instructions, would submit that the petitioner is neither owner of a vehicle nor a permit holder. That apart, different Police officers have registered more than 62970 cases in the year 2014 against the permit holders/owners of different vehicles in the area, which include rash and negligent driving and violation of the provisions of the Motor Vehicles Act and the Rules framed thereunder. The

petitioner's vehicle is not the only vehicle against which cases have been registered.

Having regard to the aforesaid submissions, we do not think that the petitioner has made out a case of police harassment in this Writ Petition. That apart, the petitioner has no locus standi to file this Writ Petition. The Writ Petition is dismissed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs2/6/15