

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 16291 of 2015 (J)

PETITIONER(S):

BRITTO AROGYASWAMI AGED 46 YEARS
S/O.SHOURIYAR, KULAMADA CHALLA, KUNDALASSERY
VADAKARAPATHY VILLAGE, CHITTUR TALUK
PALAKKAD DISTRICT.

BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA

RESPONDENT(S):

1. THE DISTRICT SUPERINTENDENT OF POLICE
PALAKKAD.

2. THE SUB INSPECTOR OF POLICE
KOZHINJAMPARA POLICE STATION, KOZHINJAMPARA P.O.
PALAKKAD DISTRICT.

3. SIVAN, S/O.MAYANDI, AGED 63 YEARS
KULAMADA CHELLA, VADAKARAPATHY VILLAGE, CHITTUR TALUK
PALAKKAD DISTRICT.

R1 AND R2 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 16291 of 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - TRUE COPY OF THE PLAINT IN OS NO.271/14 ON THE FILE OF THE
MUNSIFFS COURT CHITTUR.
P2 - TRUE COPY OF THE COUNTER STATEMENT/OBJECTION PREFERRED BY THE
PETITIONER TO IA NO.1296/14 IN OS NO.271/14 ON THE FILE OF THE
MUNSIFFS COURT CHITTUR.
P3 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
BEFORE THE FIRST RESPONDENT DATED 25.5.2015

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No. 16291 of 2015

Dated this the 2nd June, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court alleging police harassment. It is submitted that there is some dispute between the petitioner and the third respondent, who has filed O.S.No.271/2014 before the Munsiff's Court, Chittur. The issue is regarding the use of a pathway and there was a direction by the Munsiff's Court to maintain status quo. According to the petitioner, at the instance of the third respondent, the second respondent Police Officer is trying to prevent the petitioner from using the pathway. Further, it is contended that they have called upon the petitioner to remove the fence so as to facilitate the third respondent to take tractor to the paddy field.

2. The State Attorney, on instructions, would submit that on the basis of a complaint given by the third respondent alleging that the petitioner had violated the order of status quo, the parties were summoned and asked not to create any law

and order situation. Again complaining that the petitioner had violated the status quo order preventing the third respondent from taking his tractor to the paddy field, another complaint was filed. Again the parties were summoned and asked to approach the Civil Court and get appropriate orders. They were also warned not to create any nuisance or law and order situation.

3. Having regard to the aforesaid statement by the learned State Attorney, we do not think that the Police had interfered with any civil dispute or harassed the petitioner in any manner. The Police only called the parties on the complaint and asked them to approach the Civil Court for resolving their dispute.

The submission of the learned State Attorney is recorded and the Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs2/6/15