

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 9TH DAY OF JUNE 2015/19TH JYASHTA, 1937

WP(C).No. 17216 of 2015 (B)

PETITIONER(S) :

**SASIDHARAN, AGED 62 YEARS,
S/O.CHELLAPPAN PILLAI, PALAYIL HOUSE,
THAMARASSERY ROAD, POONITHURA (P.O), THIRIPUNITHURA,
ERNAKULAM- 682 038.**

BY ADV. SRI.B.S.SURESH (CHIRAKKARA)

RESPONDENT(S) :

- 1. THE SUB INSPECTOR OF POLICE,
CHOTTANIKKARA POLICE STATION,
ERNAKULAM DISTRICT- 682 312.**
- 2. SUDEER,
POLICE CONSTABLE, CHOTTANIKKARA POLICE STATION,
CHOTTANIKKARA, ERNAKULAM DISTRICT- 682 312.**
- 3. RAJAMMA, AGED 51 YEARS,
D/O.AYYAPPAN NAIR, POOTHYATH, CHOTTANIKKARA,
ERNAKULAM- 682 312.**

R1 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE COPY OF THE LICENSE NO A3-289/2014-15 DATED 02/06/2014 ISSUED BY THE GRAMA PANCHAYATH.**
- P2: THE COPY OF THE CASH RECEIPT DATED 07/03/2015 ISSUED BY THE GRAMA PANCHAYATH.**
- P3: THE COPY OF THE SHOP RENT RECEIPT ISSUED BY THE COCHIN DEVASWOM BOARD CHOTTANIKKARA DEVI TEMPLE.**
- P4: THE COPY OF HIS ELECTION IDENTITY CARD NO.KL/11/075/384371.**
- P5: THE COPY OF THE PETITION UNDER SECTION 7(1)(C) OF THE FAMILY COURT ACTS.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 17216 of 2015

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Dated this, the 9th day of June, 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court alleging harassment by the Police. It is *inter alia* submitted that he is having a “living in relationship” with the 3rd respondent, who has married one Appu Nair and is having a daughter who is now married. It is submitted that the 3rd respondent has submitted a petition before the Family Court, Ernakulam claiming compensation as his wife. According to him, he is in possession of a shop room and attempts are being made to evict him from the said shop room. It is alleged that, on 6/6/2015, the 2nd respondent called the petitioner over phone and directed him to be present before the 1st respondent otherwise he was threatened that he will be taken into custody.

2. Learned Government Pleader, on instructions, would submit that on the basis of a complaint given by the 3rd respondent and her daughter alleging trespass and assault by

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the petitioner, the police had summoned the petitioner and he was warned not to create any nuisance. It is also submitted that the 3rd respondent and her daughter had obtained an injunction restraining the petitioner from entering into the house and their allegation was that in violation of the said direction, he has trespassed into the said building.

3. It is submitted that as far as the shop room of the petitioner is concerned, it is not an issue in which a compliant had been given and the police has not taken any action in that matter. Having regard to the aforesaid factual circumstances, we are of the view that no harassment has been meted out against the petitioner.

Writ petition is hence dismissed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge