

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

WP(C).No. 20665 of 2015 (G)

PETITIONER(S) :-

VAZHANTHODI MUNEER, AGED 36 YEARS
S/O.LATE MOIDEEN, VAZHANTHODI HOUSE
VADAKKUMBRAM AMSOM DESOM, P.O VADAKKUMBRAM
TIRUR TALUK, MALAPPURAM DISTRICT.

BY ADVS.SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENT(S) :-

1. THE SUPERINTENDENT OF POLICE
MALAPPURAM, MALAPPURAM DISTRICT, PIN - 676300
2. THE CIRCLE INSPECTOR OF POLICE
VALANCHERY CIRCLE INSPECTOR OFFICE, VALANCHERRY
MALAPPURAM DISTRICT, PIN-676202
3. VAZHANTHODI MUJEEB RAHMAN, AGED 27 YEARS
S/O. LATE MODIDEEN, VAZHANTHODI HOUSE
VADAKKUMBRAM AMSOM DESOM, P.O VADAKKUMBRAM, TIRUR TALUK
MALAPPURAM DISTRICT, PIN-676 552
4. VAZHANTHODI SEENATH, AGED 32 YEARS, S/O. LATE MODIEEN,
UROTHIYIL HOUSE, THALAKKOTTUR, P.O OZHUR,
MALAPPURAM DISTRICT, PIN - 676 307
5. CHEMMILI FATHIMA, AGED 54 YEARS
W/O. VAZHANTHODI MOIDEEN(LATE), VAZHANTHODI HOUSE
VADAKKUMBRAM AMSOM DESOM, P.O VADAKKUMBRAM
TIRUR TALUK, MALAPPURAM DISTRICT, PIN - 676 552.

R1 & R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 20665 of 2015 (G)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1: A TRUE COPY OF THE PLAINT IN OS NO.291/2014 ON THE
FILE OF MUNSIFFS COURT, TIRUR (WITH ENGLISH TRANSLATION) .

EXHIBIT P2: A TRUE COPY OF THE ORDER IN IA NO.3188/2014 DATED
12.2.2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.20665 of 2015

Dated this the 9th day of July 2015

J U D G M E N T

Shaffique, J

The petitioner has approached this Court alleging harassment by police. It is stated that there is some dispute between the petitioner and respondents 3 to 5. O.S.No.291 of 2014 is pending before the Munsiff's Court, wherein, the petitioner has sought for a decree for permanent prohibitory injunction and also mandatory injunction. But, at the instance of respondents 3 to 5, the 2nd respondent has called upon the petitioner to appear before him and compelled the petitioner to withdraw the civil suit. The 2nd respondent also threatened the petitioner that if he does not hand over the original partition deed to respondents 3 to 5, he will be implicated in criminal cases.

2. Learned Government Pleader on instructions would submit that the issue projected in the civil suit is a family dispute. Respondents 3 to 5 are mother, brother and sister of the petitioner.

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3. Having heard the learned counsel for the petitioner and having perused the records, we do not think that the police can interfere in a civil dispute. The police would have asked the petitioner to settle the matter on account of the fact that the dispute is purely a family dispute, which does not amount to any harassment. As far as the civil dispute is concerned, the police has no role to play. It is for the petitioner to take appropriate proceedings in accordance with law.

In the light of the aforesaid factual situation, we do not think that any direction as sought for is required to be passed in this case. Accordingly, the writ petition is closed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**