

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 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 21513 of 2015 (L)

PETITIONER :

**ROHIT.S., S/O.D.SIVAN,AGED 22 YEARS,
SEETHAL HOUSE, VEETTIKUTHU,
NILAMBUR, MALAPPURAM DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S):

- 1. THE DISTRICT POLICE CHIEF,
MALAPPURAM- 676 505.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
WANDOOR, MALAPPURAM DISTRICT. PIN- 679 328.**
- 3. THE SUB INSPECTOR OF POLICE,
WANDOOR POLICE STATION,
MALAPPURAM DISTRICT. PIN-679 328.**

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.21513/2015

APPENDIX

PETITIONER'S EXHIBITS: NIL

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

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

W.P.C.No.21513 of 2015

Dated this the 6th day of August 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioner and the learned State Attorney.

2. This writ petition has been filed alleging police harassment. Petitioner's case is that he had purchased an immovable property by sale deed dated 09/04/2015. He submits that there are crimes registered against the vendor and the allegation is that he has executed a sale deed to defraud the creditors and the sale deed is a sham document. It is the submission of the petitioner that police authorities have taken the keys of the house and the same has not been given to the petitioner. Report has been submitted by the police authorities to the Judicial First Class Magistrate Court, Perinthalmanna.

3. Learned State Attorney submits that, after receiving various complaints, five cases have been registered against one Sabu, who claims to have executed the sale deed in favour of the

petitioner. It is submitted that police authorities investigated the crime and seized various articles from the house in question and report has been submitted to the Judicial First Class Magistrate Court, Perinthalmanna.

4. The learned counsel for the petitioner submits that the police authorities have no authority or jurisdiction to take any case and keep possession of the property with them. Be that as it may, the report having been submitted before the learned Magistrate, it is open for the petitioner to approach the learned Magistrate for seeking a direction in regard to the property in question. However, in view of the facts and circumstances involved in the case, we do not find any case of police harassment.

With these observations, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

