

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 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C).No. 23390 of 2015 (W)

PETITIONER :

P.M.SUNEER AGED 41 YEARS
S/O.MAKKAR, PARAMBEMALA HOUSE, MARADY KARA
MARADY VILLAGE EAST VILLAGE, MUVATTUPUZHA TALUK
ERNAKULAM DISTRICT, PIN - 686 676.

BY ADV. SRI.T.P.NISHAD KHAN

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF HOME
GOVERNMENT SECRETARAIT ANNEX, TRIVANDRUM - 695 001.
2. CIRCLE INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION, MUVATTUPUZHA TALUK
ERNAKULAM DISTRICT, PIN - 686 673.
3. SUB INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION, MUVATTUPUZHA TALUK
ERNAKULAM DISTRICT, PIN - 686 673.
4. BAIJU, AGED 44 YEARS
S/O.MATHEW, RESIDING AT PITTAPPALLY HOUSE
PERINGAZHA KARA, ARAKKUZHA VILLAGE, MUVATTUPUZHA TALUK
ERNAKULAM DISTRICT, PIN - 686 673.

R1 TO R3 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUAMR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 23390 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1. TRUE COPY OF THE OS NO.318/2015 DATED 17.06.2015 FILED BY
THE PETITIONER AGAINST THE DEFENDANT BEFORE THE MUNSIFFS
COURT MUVATTUPUZHA.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 23390 OF 2015

Dated this the 10th day of August, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader. No notice is being issued to the 4th respondent in view of the order which is being passed.

2. This writ petition has been filed by the petitioner alleging police harassment. Petitioner's case is that he has entered into an agreement with 4th respondent for sale of a 68 Sq. meters of property comprised in Survey No.365/2/2 of Marady Village. Petitioner submits that on the complaint of 4th respondent the petitioner has been unnecessarily summoned to the police station, where as O.S. No.318/2015, filed by the petitioner is also pending pertaining to the issue arising out of the agreement of sale.

3. Learned Government Pleader after obtaining instructions submitted that a complaint was received from 4th respondent complaining that he has been cheated by the

petitioner. For enquiring the complaint of 4th respondent, the petitioner has been called. It is submitted that the police was not made aware of the pendency of the civil suit. When the petitioner was called to the police station during the enquiry it was disclosed that a civil suit is pending. On coming to know about the civil suit, the complaint of the 4th respondent was closed.

We do not find any case of police harassment in this case. Hence the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

WP(C) No. 23390 of 2015

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