

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 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

WP(C).No. 23502 of 2015 (K)

PETITIONER(S) :

**JOHN CHACKO, AGED 80 YEARS,
S/O.CHACKO, BETHEL MANDIRAM, AIKKAD,
KODUMON VILLAGE, PATHANAMTHITTA.**

BY ADV. SRI.MANSOOR.B.H.

RESPONDENT(S) :

- 1. STATE POLICE CHIEF,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM- 695 001.**
- 2. DISTRICT POLICE CHIEF,
PATHANAMTHITTA- 689 647.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE,
ADOOR- 689 512.**
- 4. THE STATION HOUSE OFFICER,
KODUMON POLICE STATION,
PATHANAMTHITTA DISTRICT- 689 652.**
- 5. ROJESH JOHN,
KOYIPATTU VEEDU, NEDUMON MURI, EZHAMKULAM,
PATHANAMTHITTA- 689 651.**
- 6. SHAJI JOHN,
BATHENI VILLA, IKKAD MURI, KODUMON VILLAGE,
PATHANAMTHITTA- 689 652.**
- 7. LATHA ROJESH
KOYIPATTU VEEDU, NEDUMON MURI, EZHAMKULAM,
PATHANAMTHITTA- 689 651.**

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 23502 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS :

NIL

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

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

W.P.C.No.23502 of 2015

Dated this the 4th day of August 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to respondents 5 to 7 in view of the judgment being passed today.

2. Petitioner has come up in this writ petition alleging police harassment at the instance of respondents 3 and 4. Respondents 5 to 7 who are sons and daughter-in-law of the petitioner. Petitioner's case is that in the year 2013, by virtue of gift deeds, petitioner had transferred a property having an extent of 1.57 acres in favour of the 5th respondent and a property having an extent of 84 cents in favour of the 6th respondent. Respondents have violated the covenant in the civil suit filed for cancellation of the gift deeds, which are pending. Petitioner's grievance is that he has also filed a complaint against respondents 5 to 7 under The Maintenance and Welfare of Parents and Senior Citizens Act, 2007. It is alleged that respondents 5

and 6 are compelling the petitioner to withdraw the civil case and also the proceedings under Section 7 of the Act, 2007 and to vacate the house.

3. Learned Government Pleader submits that on the complaint of the petitioner, police authorities have called respondents 5 to 7 and recorded their statements. It is stated that police have never compelled the petitioner to withdraw the case or the proceedings under Section 7 of the Act. It is also submitted that the complaint under the 2007 Act has been filed on 01/08/2015.

Having regard to the aforesaid submission of the learned Government Pleader, we do not find a case of police harassment in this case. This writ petition is closed.

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

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

jsr

