

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 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 24457 of 2015 (F)

PETITIONER(S)/PETITIONER:

SAGHIR AGED 21 YEARS
S/O. ZAFARO, 83/5, NARKELDANGA NORTH ROAD
KOLKOTHA MUNICIPAL CORPORATION, NARKELDANGA
KOLKOTHA-700011, NOW RESIDING AT BENNY HOUSE
VADYAR ROAD, KATHRKADAVU, KOCHI-17.

BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SMT.MEGHA K.XAVIER

RESPONDENT(S)/RESPONDENTS:

1. THE STATE POLICE CHIEF
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM-695001.

2. THE DISTRICT POLICE CHIEF
ERNAKULAM, KOCHI-682031.

3. THE SUB INSPECTOR OF POLICE
ERNAKULAM NORTH POLICE STATION, ERNAKULAM-15.

4. SHABEER
43/2744B, APPU ARCADE, SRM ROAD
KOCHI-18.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 24457 of 2015 (F)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1- TRUE COPY OF AGREEMENT DATED 23-3-2015 ALONG WITH ENGLISH TRANSLATION.

EXHIBIT P2- TRUE COPY OF REPRESENTATION DATED 9-6-2015 SENT TO THE 2ND RESPONDENT AGAINST POLICE HARASSMENT ALONG WITH POSTAL RECEIPT.

EXHIBIT P3- TRUE COPY OF REPRESENTATION DATED 9-6-2015 SENT TO THE 2ND RESPONDENT AGAINST 4TH RESPONDENT ALONG WITH POSTAL RECEIPT.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P.(C).No. 24457 of 2015

Dated this the 18th August, 2015

JUDGMENT

Ashok Bhushan, CJ.

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

2. The petitioner has filed this Writ Petition alleging Police harassment. The petitioner's case is that the petitioner has some business transaction with the fourth respondent. It is submitted that the petitioner has issued three cheques to the fourth respondent drawn in his brother's account, though such a huge amount is not due to the fourth respondent. Allegations have been made that the fourth respondent has trespassed into the petitioner's house. On certain complaints from the fourth respondent, the petitioner was summoned on 23.3.2015, and on 8.6.2015, the third respondent came to the house of the petitioner and took him to the Police Station.

3. The learned Government Pleader, after obtaining instructions, submits that on the complaint received from the fourth respondent, the petitioner was called. However, after recording the statement, the complaint has already been closed by the Police authorities and the petitioner has never been summoned after 9th June, 2015.

4. Learned counsel for the petitioner disputed the submission of the learned Government Pleader and submitted that the petitioner is being summoned, although no details have been given regarding the date of summoning the petitioner subsequent to 9th June, 2015. The Writ Petition was filed on 11th August, 2015. We do not find that this is a case of Police harassment.

The Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs19/8/15