

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

WP(C).No. 25416 of 2015 (B)

PETITIONER(S):

**C.S.JOSEPH, AGED 62 YEARS,
S/O.LATE C.J.SKARIA, A-CLASS PWD CONTRACTOR,
CHETTIKANDATHIL HOUSE, PAMPAKUDA POST, MUVATTUPUZHA.**

BY ADV. SRI.P.KURUVILLA JACOB

RESPONDENT(S):

- 1. THE SUPERINTENDENT OF POLICE,
RURAL SECTION, ALUVA, ERNAKULAM DISTRICT-683 101.**
- 2. THE SUB INSPECTOR OF POLICE,
ALUVA EAST POLICE STATION,
ERNAKULAM DISTRICT-683 101.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE,
ALUVA, ERNAKULAM DISTRICT-683 101.**
- 4. THE SUPERINTENDING ENGINEER,
PUBLIC WORKS DEPARTMENT (B & R),
CENTRAL CIRCLE, ALUVA,
PIN-683 101.**

BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE PETITIONERS'S LETTER DATED 10/7/2015
SUBMITTED IN OFFICE OF THE 4TH RESPONDENT**
- EXT.P2. TRUE COPY OF THE PETITIONERS'S LETTER DATED 20/7/2015
SUBMITTED IN OFFICE OF THE 4TH RESPONDENT**
- EXT.P3. TRUE COPY OF THE 4TH RESPONDENT'S LETTER DATED 26/6/2015
FORWARDED TO THE PETITIONER**
- EXT.P4. TRUE COPY OF THE 4TH RESPONDENT'S REGISTERED LETTER
DATED 20/7/2015 COMMUNICATION TO THE PETITIONER**
- EXT.P5. TRUE COPY OF THE PETITIONER'S LETTER DATED 12/8/2015
FORWARDED 4TH RESPONDENT BY SPEED POST**
- EXT.P6. TRUE COPY OF THE PETITIONERS'S COMPLAINT DATED 14/8/2015
SUBMITTED IN THE OFFICE OF THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.25416 of 2015

Dated this the 19th day of August 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court complaining of police harassment. It is stated that he is a Contractor who had undertaken to carry out certain work with the Public Works Department. However, on account of certain factual situation, he did not execute the work. A complaint came to be filed against him by the Department alleging that he had taken away the official records. When the petitioner approached for anticipatory bail, police had given information that he was not arrayed as an accused in the case. Later, a complaint has been forwarded to the 3rd respondent, who is now pressurizing the petitioner to execute an agreement with the Department and unnecessarily the petitioner is being summoned to the police station.

2. The learned Government Pleader, on instructions, would submit that the 3rd respondent has undertaken the investigation. Petitioner was summoned to the police station in

connection with the investigation, but so far he has not appeared. Only a preliminary enquiry is being conducted in the matter.

We do not think that summoning the petitioner for a preliminary enquiry amounts to any harassment by the police. Petitioner will have to co-operate with the said proceedings. Since there is no harassment, as alleged, we do not think that the writ petition can be entertained and accordingly the writ petition is dismissed.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

