

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25911 of 2015 (L)

PETITIONER(S) :-

1. RUKHIYA, D/O.KANDANTHODIKA KUNHUNNI @ MUHAMMED,
CHOKKAD P.O., NILAMBUR TALUK,
MALAPPURAM DISTRICT.
2. SAINABA, D/O.KANDANTHODIKA KUNHUNNI @ MUHAMMED,
CHOKKAD P.O., NILAMBUR TALUK,
MALAPPURAM DISTRICT.

BY ADVS.SRI.BABU S. NAIR
SRI.R.RANJITH (K/489/2011)

RESPONDENT(S) :-

1. THE DISTRICT POLICE CHIEF,
MALAPPURAM, PIN - 676 505.
2. THE SUB INSPECTOR OF POLICE,
MANJERI POLICE STATION, KALIKAVU POLICE STATION,
MALAPPURAM DISTRICT, PIN - 676 525.
3. JINU JOHN, S/O.ANNAMMA JOHN,
KANJIRAMPADAM, CHOKKAD P.O.,
NILAMBUR TALUK, MALAPPURAM DISTRICT, PIN - 679

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT ISSUED BY THE 1ST RESPONDENT DATED, 6-7-2015.

EXT.P1(a) :- TRUE ENGLISH TRANSLATION OF EXHIBIT P1.

EXT.P2 :- TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT ISSUED BY THE WOMEN CELL, MALAPPURAM DATED, 6-7-2015.

EXT.P2(a) :- TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

EXT.P3 :- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT DATED, 7-8-2015.

EXT.P3(a) :- TRUE ENGLISH TRANSLATION OF EXHIBIT P3.

EXT.P4 :- TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT ISSUED BY THE 1ST RESPONDENT DATED, 7-8-2015.

EXT.P4(a) :- TRUE ENGLISH TRANSLATION OF EXHIBIT P4.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.25911 of 2015

Dated this the 21st day of August 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court alleging harassment by the 2nd respondent at the instance of the 3rd respondent. It is stated that the petitioners had filed a suit as O.S.No.630 of 2014 before the Munsiff's Court, Manjeri for fixation of boundaries. The said suit has been filed against one Mary John and her sister. After the filing of the suit, respondents 2 and 3 had approached the petitioners asking for one Mustafa and unnecessarily harassing them. They have also told that the petitioners will be implicated in false cases. Though the petitioners had filed complaint, Ext.P3, to the first respondent, no action had been taken in the matter.

2. Learned State Attorney on instructions would submit that one Annamma John had filed a complaint against Mustafa, the brother of the petitioners and for that purpose, the police had issued notice to Mustafa, other than that the 2nd respondent has not met the petitioners nor has harassed them in any manner. It is also stated that the 2nd respondent had assumed charge only on 1.8.2015 and that he is not aware of the situation prior to that.

-: 2 :-

3. Learned counsel for the petitioners would further submit that there had been consistent approaches by the 2nd respondent on 3.7.2015. Though parties were summoned to the Women Cell and the issues had been settled, still, according to the petitioners, threats continued on 2.8.2015 and therefore, complaint was given to the first respondent.

4. Having regard to the aforesaid factual situation, we do not think that any enquiry can be conducted with reference to the issues involved in the present writ petition. We only observe that the first respondent shall consider Ext.P3 complaint and take appropriate action in the matter.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE