

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 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 27873 of 2015 (H)

PETITIONER(S):

SATHISH IPE, AGED 42 YEARS
S/O. M.I.IPE, VALIYAPARAMPIL, PUTHUPALLY
KOTTAYAM-686 011.

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENT(S):

1. THE DISTRICT POLICE CHIEF
DISTRICT POLICE OFFICE, KOTTAYAM 686 002.
2. THE STATION HOUSE OFFICER
KOTTAYAM EAST POLICE STATION, KOTTAYAM 686 002.
3. DY.SUPERINTENDENT OF POLICE
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE
KOTTAYAM 686 002.
4. MRS.PREME ALEXANDER @ SARAMMA ALEXANDER
W/O.LATE ALEXANDER KURIAN
VADAKEPARAMBIL HOUSE, PAKKIL P.O., KOTTAYAM 686 012.
5. MR.MATHEW ABRAHAM MARETTE
C/O.MRS.PREME ALEXANDER @ SARAMMA ALEXANDER
W/O.LATE ALEXANDER KURIAN
VADAKEPARAMBIL HOUSE, PAKKIL P.O., KOTTAYAM 686 012.
6. MRS.DEEPA RAJESH
W/O.RAJESH JOSEPH, MANGATTU HOUSE, THATHAMPALLY PO
ALAPPUZHA 688013.
7. DINU ALEXANDER
C/O.MRS.PREME ALEXANDER @ SARAMMA ALEXANDER
W/O.LATE ALEXANDER KURIAN
VADAKEPARAMBIL HOUSE, PAKKIL P.O., KOTTAYAM 686 012.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 27873 of 2015 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1- THE TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 4TH
RESPONDENT DATED 4.6.2015 BEFORE THE 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

ami/

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

W.P.(C)No.27873 of 2015

Dated this the 29th day of September, 2015.

J U D G M E N T

ASHOK BHUSHAN, C.J.

Heard the learned counsel for the petitioner and the learned Government Pleader. No notice need to be issued to respondent nos.4 to 7 in view of the order which is to be passed.

2. The petitioner filed this writ petition alleging police harassment. The petitioner's case is that the petitioner has availed a loan to the tune of Rs.10,00,000/- from respondent nos.4 to 7 and he paid back Rs.16,70,000/- towards principal and interest. It is further stated that the petitioner was called to the office of the 2nd respondent on 30.6.2015 on the basis of Ext.P1 complaint preferred by 4th respondent and respondent nos.1 to 3 had compelled the petitioner to produce signed blank cheques. The allegation of the petitioner is that, at the instance of the 4th respondent, the

2nd and 3rd respondents are unduly harassing the petitioner. A statement has been filed by the 2nd respondent wherein it has been stated that the 4th respondent has filed a complaint before the 3rd respondent stating that for the last 18 months, the petitioner has not made any payment either by way of interest or principal. When the amount was sought, the petitioner has threatened and abused the 4th respondent. The petitioner was called by the 3rd respondent and accordingly on 13.9.2015, the 3rd respondent had gone to the petitioner's house for taking his statement. The petitioner was not present. Since the petitioner did not turn up, a report has been given on the complaint. It is submitted by the learned Government Pleader that no further action has been taken by the respondents and there is no case of any police harassment, as alleged. After having heard the learned counsel for the parties and perusing the records, it appears that there is some dispute pertaining to financial transaction between the parties. The learned Government

Pleader submitted that the police has nothing to do with the financial transaction and they went to record the statement, only when they received a complaint. We do not find a case of police harassment in this writ petition or that any direction as prayed for need be issued in this writ petition. With the above observations, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M.SHAFFIQUE,
JUDGE.

ami/

//True copy//

P.A.to Judge