

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 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 28025 of 2015 (C)

PETITIONER :

T.K.SUNDARAN PILLAI, AGED 66 YEARS,
FLAT NO.IX A, HEERA GOLDEN HOUSE, KERALA NAGAR,
THIRUVANANTHAPURAM

*CORRECTED AS :

*NAME OF THE PETITIONER IS CORRECTED AS 'T.K.SURENDRAN PILLAI'
AS PER ORDER DATED 22.09.2015 IN IA 13579/15.

BY ADVS.DR.S.GOPAKUMARAN NAIR (SR.)
SRI.P.CHANDRASEKHAR
SRI.S.PRASANTH
SRI.SOORAJ T.ELENJICKAL
SRI.P.A.MOHAMMED SHAH
SMT.UMA
SRI.K.NANDAKUMAR
SMT.V.A.HARITHA

RESPONDENTS :

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1. THE SUPERINTENDENT OF POLICE, N.R.I. CELL,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 695001.
 2. MR. SHIBU, CEO AL KHALEEJ & AL HIND PLASTER,
TILES & PAINTS CONSTRUCTION COMPANY LLC,
P.O. BOX - 26767, SHARJAH, UAE.
 3. STATE OF KERALA, REPRESENTED BY THE SECRETARY,
HOME DEPARTMENT, GOVERNMENT SECRETARIATE,
THIRUVANANTHAPURAM - 695001.

R1 & R3 BY SENIOR GOVERNMENT PLEADER SRI. P.I. DAVIS
R2 BY ADVS. SRI.M.R.ANANDAKUTTAN
SMT.M.A.ZOHRA
SRI.MAHESH ANANDAKUTTAN
SMT.S.SOUMYA ISSAC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE COMPLAINT.
- P2: COPY OF THE CHEQUE.
- P3: COPY OF THE COMPLAINT.
- P4: COPY OF THE ABOVE JUDGMENT OF THE SHARJAH COURT.
- P5: COPY OF THE POWER OF ATTORNEY.
- P6: COPY OF THE APPEAL MEMORANDUM.
- P7: COPY OF THE LETTER OF THE PETITIONER'S ADVOCATE.
- P8: COPY OF THE WARRANT.
- P9: COPY OF THE COMPLAINT.
- P10: COPY OF THE PETITION.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.28025 of 2015

Dated this the 22nd day of September 2015

J U D G M E N T

Shaffique, J

The petitioner has approached this Court alleging harassment by the police. It is stated that he had involved in certain transactions in Gulf Countries. He had issued certain cheques which were dishonoured, against which he was convicted.

2. The allegation is that with reference to the very same issue, 3rd respondent has given a complaint to the local police authorities, who are unnecessarily interfering in the matter and is harassing the petitioner.

3. Learned counsel appearing on behalf of the 2nd respondent submits that they have given a complaint against the petitioner, who had defrauded him. It is also stated that a warrant is pending against the petitioner issued by the Sharjah Federal Court.

4. The learned Government Pleader, on instructions, would submit that on the basis of the complaint given by the 2nd

respondent before the NRI Cell, the Superintendent of Police, NRI Cell had summoned the petitioner, statement has been recorded and if at all there is any crime involved in the matter, the complaint would be forwarded to the concerned police station for registering necessary F.I.R. As matters stand now, no such action has been taken and the matter is still under consideration by the 1st respondent, Superintendent of Police.

5. Having regard to the aforesaid submission, we do not think that summoning of the petitioner for making an enquiry in the complaint given by the 2nd respondent would amount to harassment by the police. Since learned Government Pleader submits that further action will be taken only after registering necessary F.I.R after forwarding a report to the concerned police station, we do not think that such steps would amount to any harassment.

Accordingly, this writ petition is closed.

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

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

jsr/22/09/2015

