

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 28214 of 2015 (B)

PETITIONERS :

1. MARY MARGERETT, AGED 55 YEARS
D/O.LATE PETER THOMPSON, AVITTAMPILLI HOUSE, AIMS.P.O
PEELIYADU, PONEKKARA, ERNAKULAM DISTRICT.
2. ALVIN BRITTO, AGED 24 YEARS
S/O.MARY MARGERETT, AVITTAMPILLI HOUSE, AIMS.P.O
PEELIYADU, PONEKKARA, ERNAKULAM DISTRICT.
3. SELNA.K.G, AGED 22 YEARS
D/O.MARY MARGERETT, AVITTAMPILLI HOUSE, AIMS.P.O
PEELIYADU, PONEKKARA, ERNAKULAM DISTRICT.

BY ADVS.SRI.C.M.NAZAR
SRI.MANSOOR.B.H.

RESPONDENTS :

1. THE COMMISSIONER OF POLICE, KOCHI CITY, ERNAKULAM.
2. THE CIRCLE INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.
3. THE SUB INSPECTOR OF POLICE,
CHERANALLOOR POLICE STATION, ERNAKULAM DISTRICT.
4. PLAMENA @ PHILOMINA,, AGED 73 YEARS
W/O.LATE PETER THOMPSON, AVITTAMPILLI HOUSE, AIMS.P.O
PEELIYADU, PONEKKARA, ERNAKULAM DISTRICT.
5. MERLIN JASEENTHA,, AGED 45 YEARS
W/O.SIBI, KANNAMPILLIL, AIMS.P.O
PEELIYADU, PONEKKARA, ERNAKULAM DISTRICT.
6. SIBI, AGED 48 YEARS
KANNAMPLLIL, AIMS.P.O, PEELIYADU
PONEKKARA, ERNAKULAM DISTRICT.

R1 TO R3 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 28214 of 2015 (B)

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1 : A TRUE COPY OF THE PLAINT IN O.S.1/2015 PENDING BEFORE THE SUB
COURT ERNAKULAM.

EXT.P2 : A TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 1ST PETITIONER BEFORE
THE 3RD RESPONDENT ON 14.7.2015 ALONG WITH ITS ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

Ashok Bhushan, C.J. & K. Vinod Chandran, J.

W.P.(C) No. 28214 OF 2015

Dated this the 17th day of September, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader. No notice is being issued to respondent Nos.4 to 6 in view of the order which is being passed.

2. This writ petition is filed by the petitioners alleging police harassment. Petitioners' case is that Original Suit between the first petitioner and respondents 4 to 6 has been filed in the appropriate civil court, which is still pending. It is submitted that at the instance of private respondents, the petitioners are being called to the police station repeatedly which is nothing but harassment. It is further submitted that Police is interfering in the civil dispute and compelling the petitioners to settle the dispute.

3. Learned Government Pleader after obtaining instructions submitted that police had called the petitioners after receiving a complaint from 4th respondent who is the

mother of first petitioner and is living at the same address. It is further submitted that police in no manner is interfering with the civil dispute between the parties.

In the above view of the matter we do not find that it is a case of police harassment. Parties may get their civil rights settled before competent civil court. Police called the petitioner to the station only after receiving the complaint from 4th respondent which fact is admitted in Ext.P2. Thus we do not find any harassment by police. Hence the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**K. Vinod Chandran,
Judge.**

WP(C) No. 28214 of 2015

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