

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29886 of 2015 (I)

NAME AND ADDRESS OF THE PETITIONERS :

1. JIJO GEORGE AGED 23 YEARS,
S/O.K.P.GEORGE, KANAPPILLY HOUSE,
KOONAMMAVU P.O., ERNAKULAM - 683 518.
2. RESHMA.K., AGED 21 YEARS,
D/O.KARUPPASWMAY, PALATHULLI HOUSE,
PERUKAMBA.P.O., PALAKKAD, PIN-687 531.

BY ADVS.SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU
SRI.K.A.NOUSHAD
SRI.P.U.VINOD KUMAR
SRI.MITHUN BABY JOHN
SRI.J.RAMKUMAR

NAME AND ADDRESS OF THE RESPONDENTS :

1. SUB INSPECTOR OF POLICE, PUTHUNAGARAM POLICE STATION,
PALAKKAD DISTRICT - 687531
2. KARUPPASWMAY, S/O.VEERAPPAN CHETTIYAR,
PALATHULLI HOUSE, PERUKAMBA .P.O.
PALAKKAD, PIN - 687 531
3. SINDHU, W/O.KARUPPASWMAY, PALATHULLI HOUSE,
PERUKAMBA.P.O., PALAKKAD, PIN - 687 531.

R BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29886 of 2015 (I)

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1 : COPY OF THE RELEVANT PAGE OF THE S.S.L.C. OF THE 1ST PETITIONER

EXT.P2 : COPY OF THE DIPLOMA CERTIFICATE ISSUED TO THE PETITIONER BY THE
STATE BOARD OF TECHNICAL EXAMINATIONS, GOVERNMENT OF KERALA

EXT.P3 : COPY OF THE RELEVANT PAGE OF THE S.S.L.C. OF THE 2ND PETITIONER

EXT.P4 : COPY OF THE PROVISIONAL NATIONAL TRADE CERTIFICATE ISSUED TO THE
2ND PETITIONER BY THE INDUSTRIAL TRAINING DEPARTMENT OF STATE OF KERALA

EXT.P5 : COPY OF THE RECEIPT ISSUED BY THE SUB REGISTRY OFFICE, NORTH
PARAVUR EVIDENCING THE RECEIPT OF RS.100/- FOR THE PURPOSE OF MARRIAGE
REGISTRATION UNDER THE PROVISIONS OF SPECIAL MARRIAGE ACT.

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

AV

ASHOK BHUSHAN, CJ & A.M.SHAFIQUE, J

W.P(C). No. 29886 of 2015

Dated this the 1st October, 2015

JUDGMENT

Shaffique, J

Petitioners have approached this Court alleging police harassment. It is stated that they have already given notice for solemnizing their marriage under the Special Marriage Act and in the meantime, police is unnecessarily calling upon the second petitioner, to appear before police which amounts to harassment.

2. Learned Government Pleader on instructions would submit that a complaint has been filed by the second respondent and police has registered a crime as Crime No. 867 of 2015. The allegation is that his daughter is missing. It is submitted that the second petitioner can appear before the first respondent, who shall make necessary arrangements for producing the second petitioner before the Magistrate to take necessary statement.

3. Learned counsel for the petitioner submits that they

are under fear of life and law and order situation while appearing before the police as well as the Magistrate.

4. Having regard to the fact that crime has already been registered, the second petitioner will have to appear before the first respondent. The first respondent shall take necessary action to ensure protection to life of the petitioner for appearing before the police and also before the Magistrate. We do not find any kind of harassment and dispose of the writ petition with the above observation. The second petitioner shall appear before the police within a period of one week from the date of receipt of a copy of this judgment.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

// True copy //