

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 30359 of 2015 (T)

PETITIONER(S) :

**DINESH KUMAR P.M.,
MELEDATHU VEEDU, VAYALINUM PADINJARU MURY,
THUMPAMON VILLAGE, ADOOR TALUK.**

**BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HOME AFFAIRS,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695 001.**
- 2. DISTRICT POLICE CHIEF,
PATHANAMTHITTA DISTRICT- 689 645.**
- 3. DEPUTY SUPERINTENDENT OF POLICE,
ADOOR, PATHANAMTHITTA DISTRICT- 689 645.**
- 4. CIRCLE INSPECTOR OF POLICE,
PANTHALAM, PATHANAMTHITTA DISTRICT- 689 645.**
- 5. SUB INSPECTOR OF POLICE,
PANTHALAM, PATHANAMTHITTA DISTRICT- 689 645.**
- 6. MANJU,
MELEDATHU HOUSE, VIOLINAM PADINJARU, THUMPAMON,
VIA PANTHALAM, HAILING FROM THUNDATHIL HOUSE,
ARUKALIKKAL EAST, EZHAMKULAM VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT- 689 645.**

R1 TO R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 30359 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE ORDER OF ATTACHMENT DATED 17.08.2015.

**EXHIBIT P2: TRUE COPY OF THE M.C.NO.191/2015 BEFORE THE FAMILY
COURT, PATHANAMTHITTA DATED 04.08.2015.**

**EXHIBIT P3: TRUE COPY OF THE REPRESENTATION DATED 18.09.2015 BY
THE PETITIONER TO THE 2ND RESPONDENT.**

EXHIBIT P3(A): TRUE ENGLISH TRANSLATION OF EXHIBIT P-3.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 30359 of 2015

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Dated this, the 7th day of October, 2015

J U D G M E N T

Shaffique, J.

Petitioner has approached this Court alleging harassment by the police. According to him, he has matrimonial disputes with the 6th respondent, his wife and OP No.738/2015 is pending before the Family Court, Pathanamthitta. An order of attachment has also been passed by the Family Court as per order dated 4/8/2015 in IA No.974/2015. The complaint of the petitioner is that when such issues are pending before various courts, the Deputy Superintendent of Police and other police officers are unnecessarily harassing the petitioner and calling upon him to settle the matrimonial dispute.

2. Learned Government Pleader on instructions would submit that police received a complaint regarding the petitioner cutting and removing a tree after the order of attachment for which he was summoned and after enquiring about the matter, he

-:2:-

was asked to comply with the directions of the Court and the matter had been closed. The very next day, he broke open the building in the property, which is under attachment and had taken away the movables. The 6th respondent filed a complaint stating that the movables belonging to her were taken away. Petitioner was again asked to appear before the Police Station but he was not available. Police had gone to his residence which was seen locked. It is therefore submitted that petitioner was summoned only for the purpose of enquiry into the complaint given by his wife.

Having regard to the aforesaid factual situation, we do not think that enquiry by the police in respect of the aforesaid matter amounts to any harassment as alleged by the petitioner. In the said circumstances, we do not think that any order as prayed for can be granted and accordingly this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

7/10/2015

//True Copy//

PS to Judge