

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 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 30642 of 2015 (E)

PETITIONER(S):

- 1. SANDHYA.R.S., W/O.HARILAL,AGED 44 YEARS,
SINDHU NIVAS, KERALADITHYAPURAM,
POUDIKONAM, THIRUVANANTHAPURAM.**
- 2. AKHIL, S/O.HARILAL,AGED 23 YEARS,
SINDHU NIVAS, KERALADITHYAPURAM,
POUDIKONAM, THIRUVANANTHAPURAM.**
- 3. HARITA, D/O.HARILAL, AGED 21 YEARS,
SINDHU NIVAS, KERALADITHYAPURAM,
POUDIKONAM, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S):

- 1. THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM -695 001.**
- 2. THE DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM RURAL,
THIRUVANANTHAPURAM -695 001.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
PERRORKADA, THIRUVANANTHAPURAM -695 005.**
- 4. THE SUB INPECTOR OF POLICE,
MANNANTHALA, THIRUVANANTHAPURAM -695 015.**

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: A TRUE COPY OF THE ORDER DATED 22/7/2009 BY THE ADDITIONAL CHIEF SECRETARY.
- P2: A TRUE COPY OF REVOCATION ORDER DATED 12/5/2014 BY THE ADDITIONAL CHIEF SECRETARY HOME AND VIGILANCE.
- P3: A TRUE COPY OF COMMUNICATION DATED 6/6/2014
- P4: A TRUE COPY OF THE ORDER DATED 12/11/2014 OF THE HUMAN RIGHTS COMMISSION
- P5: A TRUE COPY OF THE ORDER DATED 18/12/2014 BY THE HUMAN RIGHTS COMMISSION
- P6: A TRUE COPY OF THE ORDER ON 8/5/2015 BY THE HUMAN RIGHTS COMMISSION
- P7: A TRUE COPY OF THE PHOTOGRAPHS HAVING DATE 13/5/2015

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.30642 of 2015

Dated this the 8th day of October 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioner and the learned State Attorney.

2. This writ petition has been filed by the petitioners alleging police harassment. Petitioner's case is that against the husband of the 1st petitioner, who is the father of petitioners 2 and 3, certain criminal cases and proceedings were initiated under the Kerala Anti-Social Activities Prevention Act (KAAPA). It is submitted that police is unnecessarily visiting the residence of the petitioners and parking their vehicles which is causing embarrassment to the visitors, to the family as well as to petitioners 2 and 3 who are students. It is alleged that under the guise of patrolling, police vehicles are parking in front of the petitioner's house during night. It is submitted by the learned counsel for the petitioners that the husband of the 1st petitioner has already been discharged from the cases registered under the KAAPA.

3. The learned State Attorney, after obtaining

instructions, submits that against the husband of the 1st petitioner, several criminal proceedings were initiated and crime No.111/2008 is pending. It is submitted that the name of the husband of the 1st petitioner is also listed in the rowdy list in the Mannanthala police station. It is submitted that police is only keeping vigil and patrolling in the area has been going on near the residence of the petitioners. But, no kind of harassment has ever been made to any of the petitioners.

4. We have gone through the allegations made in the writ petition. It is true that in certain cases, husband of the 1st petitioner has been exonerated, but police patrolling or vigil cannot be said to be any kind of harassment to the writ petitioners especially when no incident of any kind of harassment has been brought before this Court to form any such opinion. We are of the view that the present case cannot be treated to be any case of police harassment .

This writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/08/10/2015

