

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).No. 33608 of 2014 (A)

PETITIONER :

ANIL KURIAN, AGED 38 YEARS,
S/O.N.O.KURIAN, MANNIL HOUSE,
VALLAMKULAM EAST P.O., ERAVIPEROOR PANCHAYAT,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.P.HARIDAS
SMT.S.SIKKY

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695 001.
2. DISTRICT POLICE CHIEF
IDUKKI DISTRICT - 685 508
3. DEPUTY SUPERINTEND OF POLICE
KATTAPPANA, IDUKKI, PIN-685 508
4. CIRCLE INSPECTOR OF POLICE
KATTAPPANA POLICE STATION, IDUKKI, PIN-685 508.
5. SUB INSPECTDOR OF POLICE
KATTAPPANA POLICE STATION, IDUKKI, PIN-685 508.
6. BINDUMOL VARGHESE, AGED ABOUT 34 YEARS,
D/O.LATE VARGHESE GEORGE, THENALIL HOUSE
IDINJIMALA P.O., IDINJIMALA PANCHAYATH, KATTAPPANA
IDUKKI DISTRICT 685 508

R1 TO R5 BY SR.GOVERNMENT PLEADER, SRI. P.I. DAVIS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 33608 of 2014 (A)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 - TRUE COPY OF PLAINT IN OP NO.251/2012 BEFORE THE FAMILY COURT
THIRUVALLA DATED 27-03-2012.

EXT.P2 - TRUE COPY OF PLAINT IN OP NO.941/2014 BEFORE THE FAMILY COURT
THIRUVALLA DATED 02-08-2012.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J.

W.P.(C). No. 33608 of 2014

Dated this the 20th day of January, 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard learned counsel for the petitioner and the learned Government Pleader. No notice need be issued to the sixth respondent, in view of the order which is being passed.

2. This writ petition has been filed alleging police harassment seeking direction to respondents 3 to 5 not to interfere in the matrimonial dispute between the petitioner and the sixth respondent. The sixth respondent, the wife of the petitioner has initiated proceedings for divorce from the petitioner. The petitioner has initiated proceedings for restitution of conjugal rights. A complaint under section 498 A has already been filed, on which case has already been charge sheeted and is pending before the Judicial First Class Magistrate Court.

3. Learned Government Pleader after obtaining instructions submitted that police has called both the parties after receiving the complaint and has already warned them.

4. Learned Government Pleader submits that no interference is caused in the matrimonial dispute between the parties and the parties have to solve their matrimonial dispute according to known process of law. From the allegations made in the writ petition, we are of the view that present is not a case of police harassment. Matrimonial dispute being pending between the parties, they may obtain appropriate relief in those proceedings.

With this observations, the writ petition is closed.

Sd/-
**ASHOK BHUSHAN,
ACTING CHIEF JUSTICE**

Sd/-
**A.M.SHAFFIQUE,
JUDGE.**

sou.