

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 38158 of 2015 (T)

PETITIONER :

BINU SEBASTIAN AGED 39 YEARS
S/O.P.J.SEBASTIAN, PULLOORATHYKARIYIL
EDAPPALLY SOUTH VILLAGE, VENNALA P.O., KANAYANNUR TALUK
ERNAKULAM DISTRICT

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS :

1. DEPUTY SUPERINTENDENT OF POLICE,
ALAPPUZHA DISTRICT- 688 006.
2. DISTRICT POLICE CHIEF,
ALAPPUZHA, ALAPPUZHA DISTRICT - 688 006.
3. AJU JACOB MATHEW, S/O.MATHEW, AGED 36 YEARS
KALATHIL HOUSE, PUNNAMADA, AVALUKUNNU P.O
PIN:688 006, ALAPPUZHA DISTRICT.
4. STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY, HOME DEPARTMENT
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.

R1, R2 & R4 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 - TRUE COPY OF THE AGREEMENT DATED 15.7.2015 EXECUTED BETWEEN
THE PETITIONER AND THIRD RESPONDENT.

EXT.P2 - TRUE COPY OF THE VISA ISSUED BY THE MINISTRY OF INTERIOR, UNITED
ARAB EMIRATES DATED 24.8.2015 TO THE THIRD RESPONDENT.

EXT.P3 - TRUE COPY OF THE VISA ISSUED BY THE MINISTRY OF INTERIOR, UNITED
ARAB EMIRATES DATED 24.8.2015 TO ONE MR.RAJU CHERIAN BROTHER OF
THIRD RESPONDENT.

EXT.P4 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
DATED 12.12.2015 BEFORE THE SECOND RESPONDENT.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.P.(C) No. 38158 OF 2015

Dated this the 22nd day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader. No notice is being issued to the 3rd respondent in view of the order which is being passed.

2. The petitioner has filed this writ petition alleging police harassment. Petitioner's case is that there was an agreement with the petitioner and 3rd respondent on the basis of which both invested some money at Dubai. Petitioner's case is that there was some dispute between the 3rd respondent which is civil in nature, but the police authorities are unnecessarily calling and harassing the petitioner.

3. Learned Government Pleader after obtaining instructions submits that a complaint has been received from 3rd respondent. To enquire the same the petitioner was called to the police station, but he did not appear. The complaint has been forwarded to the North Police Station, Alappuzha.

From the aforesaid facts we do not find any case of police harassment. It is open for the petitioner to appear before police for recording his statement. The Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**