

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38183 of 2015 (W)

PETITIONER(S):

**C.V.SASANKAN @ SASI, AGED 66 YEARS,
S/O.VELAYUDHAN, RESIDING AT CHAKKANATTUPADIKKAL,
C.C.19/1716, NEAR COCHIN TRADERS, RAMESWARAM VILLAGE,
KOCHI, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.T.MADHU
SRI.B.S.SURAJ KRISHNA**

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
PALLURUTHY POLICE STATION, KOCHI-6,
ERNAKULAM DISTRICT.**
- 2. C.V.ASOKAN,, AGED 69 YEARS,
S/O.LATE VELAYUDHAN, RESIDING AT CHAKKANATTUPADIKKAL,
NIKARTHIL HOUSE, RAJEEV VIKAS COLONY, ULLALA P.O.,
VAIKOM, PIN-686 607.**

R1 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 38183 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 THE TRUE COPY OF THE PLAINT IN O.S.92/2014 ON THE FILES OF THE LEARNED MUNSIFF'S COURT, KOCHI

P2 THE TRUE COPY OF THE WRITTEN STATEMENT DATED 24-6-2015 FILED BY THE PETITIONER HEREIN IN O.S.92/2014 ON THE FILES OF THE LEARNED MUNSIFF'S COURT, KOCHI.

P3 THE TRUE COPY OF THE ORDER DATED 24-9-2014 IN C.M.A.7/2014 ON THE FILES OF THE SUBORDINATE JUDGE'S COURT, KOCHI

P4 THE TRUE COPY OF THE PERMIT DATED 20-8-2015 ISSUED BY THE KOCHI CORPORATION

P5 THE TRUE COPY OF THE APPROVED PLAN ISSUED BY THE KOCHI MUNICIPAL CORPORATION.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 38183 of 2015

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Dated this, the 21st day of December, 2015

J U D G M E N T

Ashok Bhushan, C.J.

This writ petition has been filed alleging police harassment. Petitioner's case is that petitioner is making construction as per permit granted for construction in which obstructions are created by the 2nd respondent. At the instance of the 2nd respondent, petitioner is being called at the Police Station and is unduly harassed. It is further submitted by the petitioner that OS No.92/2014 is pending between the parties.

2. Learned Government Pleader after obtaining instructions submits that construction sought to be made by the petitioner was obstructed by the 2nd respondent and there was a law and order situation. On call being received, police party went to the spot and called both the parties at the Station. Police after finding that there is a civil dispute between the parties and an interim injunction has also been passed, directed them to obtain

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-:2:-

orders from the Civil Court. It is submitted that no kind of harassment has been meted to the petitioner. Taking into consideration the facts of the present case and the submissions made, present may not be said to be a case of police harassment.

We observe that parties may obtain appropriate orders from the Civil Court. With these observations, this writ petition is closed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp21/12/2015

//True Copy//

PS to Judge