

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21997 of 2017

ORDER:

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. This writ petition is filed seeking issuance of writ of mandamus declaring the action of the respondents in calling the petitioners along with their family members to the police station and making them to sit in the police station for hours together and harassing them to settle the matter with respondent No.6, as illegal and arbitrary.

3. It is stated that there were matrimonial disputes between petitioner No.1 and unofficial respondent and both of them got divorced. The husband has also complied with all the obligations provided under Muslim Law with regard to payment of maintenance and dower. It is stated that inspite of completing all obligations, the unofficial respondent is raising a dispute with petitioner No.1 on one pretext or the other. It is the case of the petitioner that the respondent police, at the instance of the unofficial respondent and her parents and relatives are calling the petitioners to the police station and harassing them basing on the false allegations made by the unofficial respondent. Hence, the present writ petition.

4. Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondent police not to call the petitioners to the police station, without following due process of law.

5. Learned Government Pleader submits that any action taken by the respondent police against the parties, would be in accordance with law.

6. Without going into merits of the case and having regard to the above submissions, the writ petition is disposed of directing the respondent police not to call the petitioners to the police station, without following due process of law. If the respondent police intend to take any action against the parties, the same shall be in accordance with law. No costs.

7. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

05.07.2017
vnb



JUSTICE C. PRAVEEN KUMAR