

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2976 of 2020

ORDER:

The present writ petition is filed to declare the action of the respondents, more particularly the official respondents 2 to 4, in harassing the petitioner, calling him to the police station and threatening to arrest the petitioner and interfering with his life and liberty, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions, dated 12.02.2020, a copy of which is placed on record of this Court, submits that the wife of the petitioner, i.e., the 6th respondent in the writ petition, made a complaint with the 2nd respondent on 07.02.2020 stating that her husband is sending flash messages that he wants to live with her and requested her not to go for any settlement and not to sign on any divorce papers. The said complaint was forwarded by the 2nd respondent through proper channel to the 3rd respondent to cause enquiry on the issue. By the said written instructions, it is stated that upon receipt of the said complaint, the 5th respondent called the petitioner to come to the 3rd respondent police station for counselling, since the complaint relates to matrimonial issue.

4. Though it is stated by the learned counsel for the petitioner that earlier when a complaint was submitted through registered post on 09.12.2019, the petitioner and the 6th respondent was called for counselling, whereat some settlement was arrived at between the parties,

but however, since the same has failed, the petitioner and the 6th respondent are living separately, and that the petitioner is not aware of the 6th respondent making a fresh complaint on 07.02.2020.

5. Having regard to the fact that the 6th respondent in the present writ petition has given a complaint, afresh, on 07.02.2020, which has been forwarded to the 3rd respondent and since it is stated that the 3rd respondent has called the petitioner for counselling, and in the event the matter could not be resolved through counselling, and if the authorities proceed further on the basis of the complaint by registering a case, the authorities shall act in accordance with law while investigating into the above case.

6. Subject to the above observation, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:13.02.2020

GJ