

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

WP(C).No. 11744 of 2015 (P)

PETITIONER(S):

**ARSHIDA ABDUL RAZAK, AGED 35 YEARS,
W/O.ABDUL RAZAK, T.T. HOUSE, KARIMPAM,
THALIPARAMBA.**

BY ADV. SRI.T.M.ABDUL LATHEEF.

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
EXTERNAL AFFAIRS, NEW DELHI-110 001.**
- 2. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM-695 001.**
- 3. THE HUMAN RIGHTS COMMISSION,
REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM-695 001.**
- 4. THE WOMEN'S COMMISSION,
REPRESENTED BY ITS SECRETARY,
THIRUVANANTHAPURAM-695 001.**
- 5. THE DISTRICT POLICE CHIEF,
KANNUR-670 003.**
- 6. THE SUB INSPECTOR OF POLICE,
KUTHUPARAMBA-670 643.**
- 7. INSPECTOR OF POLICE,
CYBER CELL, KANNUR-671 321.**

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**8. ABDUL SALAM B.K., S/O.IBRAHIM K.,
THATTURIYIL HOUSE, PATHIRIAD P.O.,
THALASSERY-670 741, (ABDUL SALAM B.K., UMER-NAJIL,
SANAITHANA, AL-MUTAIRI, GENERAL CONSTRUCTION &
TRADING & IMPORT AND EXPORT, HAF-AL BATHIL, PIN-31991).**

**R1 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
ADV. SMT.MINI GOPINATH, CGC
R2 & R5 TO R7 BY SR. GOVT. PLEADER SRI.G. GOPAKUMAR.
R4 BY ADV. SMT.A.PARVATHI MENON, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 : TRUE COPY OF THE PHOTOGRAPH CONTAINED IN WEB-SITE.
- EXT.P2 : TRUE COPY OF THE PHOTOGRAPH OF THE PETITIONER.
- EXT.P3 : TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT OF THE PETITIONER.
- EXT.P4 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER 3RD RESPONDENT DATED 24-03-2015.
- EXT.P5 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER 4TH RESPONDENT DATED 24-03-2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. Vinod Chandran, J.

W.P(C) No.11744 of 2015-P

Dated this the 28th day of April, 2015

JUDGMENT

The petitioner is aggrieved with some objectionable material which has been posted in the internet, regarding her, allegedly by the 8th respondent; which, the petitioner contends, amounts to cognizable offences under the Indian Penal Code and the cyber laws.

2. The reliefs sought in the writ petition are for a direction to the 2nd respondent to conduct investigation through a specialised agency, to cancel the Passport of the 8th respondent and for compensation, the latter of which prayer is sought to be enforced through the Women's Commission and the Human Rights Commission. However, the petitioner does not aver at all in the writ petition as to any complaint being filed before the jurisdictional police authorities or before the 2nd respondent, the Director General of Police of the State. Documents produced herein are only certain photographs, which cannot lead to even a *prima facie* conclusion with respect to the allegations raised. There are produced two

complaints filed before the 3rd and 4th respondents, which are to be agitated before the said respective respondents. This Court is of the opinion that no sustainable ground has been raised to entertain the above writ petition. The petitioner, if aggrieved, would be entitled to set the criminal law in motion.

With the above reservation, the writ petition would stand dismissed.

Sd/-
K. Vinod Chandran,
Judge

vkul

[true copy]