

VERDICTUM.IN

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Monday, the 8th day of January 2024 / 18th Pousha, 1945

CONTEMPT CASE(C) NO. 869 OF 2023(S) IN WP(C) 11880/2021

PETITIONER/THIRD PARTY:

MAHESH.R, AGED 40 YEARS, S/O.REGHU KOTTAPPURAM,
RESIDING AT G3, ANJANEYA APARMENTS, ELAMANA ROAD,
THRIPUNITHURA, ERNAKULAM DISTRICT - 682 301.

BY ADVOCATE SMT.DHANUJA M.S

RESPONDENT/2ND RESPONDENT IN WP(C) NO.11880/2021:

ANILKANT IPS, STATE POLICE CHIEF, POLICE HEAD QUARTERS,
VAZHUTHACAUD, TRIVANDRUM - 695 010.

SRI.SUNIL KUMAR KURIAKOSE, GOVERNMENT PLEADER

This Contempt of court case (civil) having come up for orders on
08.01.2024, the court on the same day passed the following:



P.T.O.

DEVAN RAMACHANDRAN, J.

Con.Case(C)No.869 of 2023

Dated this the 8th day of January, 2024

O R D E R

Smt.Dhanuja.M.S. - learned counsel for the petitioner, brought to my notice that a recent event has taken place somewhere in Alathur, Palakkad - which, according to her, has been widely noticed through media - that a police officer used abusive vocatives, prohibited by this Court, against an individual, who happens to be an advocate.

2. This Court is not concerned about the disputes between the police officer and the Advocate - it could be in any realm. However, if the submissions of Smt.Dhanuja is correct, then the conduct of the officer concerned, in using vocatives which are prohibited, is not merely an affront to the directions of this Court in the

judgment in WP(C)No.11880/2021, but also against the circular issued by the State Police Chief, bearing No.25/2021 dated 10.09.2021.

3. This Court had earlier directed the State Police Chief to ensure necessary steps to maintain integrity of the policing system, including by reminding the officers that they have an unexpendable obligation to treat citizens - whatever be their status - with dignity and civility. However, though the judgment of this Court is stated to be wholly complied with, instances as afore submitted still appear to be happening; and that is why this matter has been kept pending, for obtaining reports from the Police Chief from time to time.

4. Learned Government Pleader - Sri.Sunil Kumar Kuriakose, submitted that he does not have details of the incident in question, but that there appears to be some kind of an allegation

that the Police officer concerned used unacceptable language and vocatives. He added that the State Police Chief is looking into the issue, treating it as being serious; and will respond through a proper pleading within the next few days.

5. No doubt, the State Police Chief must inform this Court about the truth of the afore assertions of Smt.Dhanuja; but it is rather distressing that the imperative requirement of the police officers to act in a civilised manner to the citizen, requires to be stated and restated every now and then. The State Police Chief must keep in mind that it is not sufficient that circulars are issued, but that they are implemented in its letter and spirit, through appropriate measures.

6. If the afore incident is true, then it really shows that even circulars of the State

Police Chief are disregarded by officers under him.

7. This is unacceptable.

I, therefore, adjourn this matter to be called after 10 days for the State Police Chief to respond by way of proper pleading.

Since this matter involves public concern, I request the State Police Chief to appear before this Court online at 1.45 A.M. on 18.01.2024, for an interaction to take stock of the future cause of action, for which, his inputs will certainly be valuable.

Sd/-

DEVAN RAMACHANDRAN
JUDGE

SAS