

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,  
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,  
Hon'ble Chairperson**

Dated this the 12<sup>th</sup> February, 2009.

H.R.M.P.No.152/2008

Petitioner : Ambili, W/o Madhukumar,  
Chirayil veetil,  
Pothencode Panchayat.

Respondent :

ORDER

The complaint of the petitioner is that during September, 2004 one Suresh and his wife Reena received a sum of Rs.1,20,000/- and 51/4 sovereigns of gold from her, assuring that they will give a job to her husband in their proposed T V shop but Suresh neither opened the said shop nor repaid the cash and gold to the petitioner for which the petitioner filed a petition to Pramodkumar, Circle Inspector of Police, Kazhakkootam, on 20-11-2006 but the C I threatened her and her husband. It is also alleged in the petition that the petitioner received Rs.70,000/- from two strangers at the police station and they obtained a receipt for Rs.1,20,000/- from her and they expressed ignorance about the gold. Thereafter the petitioner filed a petition to the Director General of Police (DGP), Thiruvananthapuram, which was enquired by Anilkumar, C I of Police before whom Suresh agreed to pay Rs.10,000/- to the petitioner and that now they are

threatening her and her husband with their life and she requests for getting back the balance amount and gold from them.

In the report submitted by the Superintendent of Police (Rural), Thiruvananthapuram, it is stated that during enquiry parties were questioned and the petitioner stated that Suresh and Reena obtained Rs.1,20,000/- and 51/4 sovereigns of gold from her by assuring that they will provide employment to her husband in their proposed T V Shop and they did not open the shop and also did not repay the cash and return the gold to her but tried to assault her. Later she filed a petition to the C I of Police, Kazhakkootam, and obtained Rs.70,000/-. But as the balance amount and gold were not returned she filed a petition to the D G P on which the C I of Police summoned the parties but the attempt to settle the dispute did not succeed and therefore advised her to redress her grievance through a Court. In the report, it is further stated that she complained to Circle Inspector that Suresh and his friends are threatening her and her husband with their life. According to the report the statement of Madhukumar, husband of the petitioner is also recorded and the perusal of the said statement shows that it is also on the same lines. It is also stated in the report, that Lalchand, brother-in-law of Suresh, stated that he repaid the cash to petitioner's husband after the complaint to the C I of Police and a receipt was also obtained from him and he denied other allegations in the petition. According to the report, Pramodkumar, former C I of Police, Kazhakkottam, was also questioned and he stated that on receipt of the petition from the petitioner requesting to get back Rs.60,000/- and

gold from Suresh and Reena Rs.70,000/- was repaid to her husband and the matter was settled and a receipt from the petitioner's husband was also obtained. In the report it is further stated that during enquiry it is found that Reena, wife of Suresh, repaid Rs.70,000/- to the husband of the petitioner towards full and final settlement and also obtained a receipt to that effect and the petitioner could not produce any materials to substantiate her case relating to the monetary transaction and hence the C i of Police, Kazhakkootam, advised her to approach the Court concerned for the redressal of her grievances.

In view of the above report it is clear that the disputes between the petitioner and opposite parties relate to monetary transaction and this Commission has no jurisdiction to pass any further order in the matter and the petitioner has to seek her remedy before the Court concerned.

The petition is accordingly closed.

**Justice N. Dhinakar,  
Chairperson.**

**j**