

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

SATURDAY, THE 20TH DAY OF DECEMBER 2014/29TH AGRAHAYANA, 1936

WP(C).No. 34999 of 2014 (Y)

PETITIONERS :

1. M.K.OMANA AGED 57 YEARS
W/O.LATE RAJAN, NO CCUPATION, R/A.NARAMBA
VAYAKKARA, KANNUR DIST, PIN-670307
2. RACHANA C RAJ AGED 29 YEARS
D/O.OMANA, NO OCCUPATION, -DO-

BY ADV. SRI.MAHESH V RAMAKRISHNAN

RESPONDENTS :

1. THE DISTRICT POLICE CHIEF, KANNUR-670001.
2. THE SUB INSPECTOR OF POLICE,
PERINGOME , KANNUR DIST, PIN-670307
3. MECHERI MURIYIL CHELLAMMA, AGED 69 YEARS
W/O.LATE RAJAN
4. ROOPA C RAJ, AGED 39 YEARS
D/O.CHELLAMMA
5. SOORYA RAJ, AGED 37 YEARS
S/O.CHELLAMMA
6. RANJITH RAJ, AGED 35 YEARS
CHELLAMMA
7. SAJI T S, AGED 42 YEARS
HUSBAND OF ROOPA C RAJ
RESPONDENTS NOS 3 TO 7 ARE R/A.CHOORAPPADAVU
PULINGOME P O, CHUNDA, KANNUR-670307

R1 & R2 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-12-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 34999 of 2014 (Y)

APPENDIX

PETITIONERS' EXHIBITS :

- P1:-TRUE COPY OF THE REGD GIFT DEED 2040 OF 2013, S R O PERINGOME
ALONG WITH TRUE ENGLISH TRANSLATION
- P2:-TRUE COPY OF THE POLICE COMPLAINT DTD 29/11/2014 LODGED BY THE
PETITIONERS BEFOR ETHE CIRCLE INSPECTOR OF POLICE,
PAYYANNUR-ALONG WITH TRUE ENGLISH TRANSLATION
- P3:-TRUE COPY OF THE PRESCEIPTION ISSUED FROM THE GOVERNMENT TALUK
HOSPITAL, PAYYANNUR TO THE IST PETITIONERS.
- P4:-TRUE COPY OF THE FIRST INFORMATIN REPORT NO 863/2014 DTD
30/11/2014 OF PERINGOME POLICE STATION, ALONG WITH TRUE
ENGLISH TRANSLATION.
- P5:-TRUE COPY OF THE COMPLAINT DTD 2/12/2014 SUBMITTED BY THE
2ND PETITIOENR TO THE DEPUTY SUPERINTENDENT OF POLICE,
TALIPARAMBA ALONG WITH TRUE ENGLISH TRANSLATION
- P6:-TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONERS BEFORE
THE IST RESPONDENT ALONG WITH TRUE ENGLISH TRANSLATION

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PS TO JUDGE

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J

W.P(C).No. 34999 of 2014

Dated this the 20th December, 2014

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard learned counsel for the petitioners and the learned Government Pleader. No notice is being issued to respondents 3 to 7, in view of the order, which is being passed.

2. The petitioners by this Writ Petition has prayed for a direction to respondents 1 and 2 to afford police protection from frequent house-trespass by respondents 3 to 7. The petitioners' case is that they are living in the house on the basis of a gift deed No.2040/13. A civil dispute is already pending between the parties with regard to property in question. Allegations have been made that private respondents have trespassed into the house and threatened the petitioners with regard to which a complaint was lodged. The petitioner has produced a

copy of the first information report as Exhibit P4 registered by the police as Crime No.863/14 on the basis of the complaint made by the petitioner.

3. The Police having already registered a crime on the complaint filed by the petitioner, which is under investigation, we see no further requirement of issuing any direction. However, we observe that if any offence is committed or attempt to commit offence, it shall be open for the petitioners to file a complaint before the Police authorities. The Writ Petition is closed.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs22/12/14