

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WA.No. 1192 of 2015 () IN WP(C).31752/2014

(AGAINST THE ORDER/JUDGMENT IN WP(C) 31752/2014 of HIGH COURT OF KERALA
DATED 30-03-2015)

APPELLANT(S)/PETITIONER:

GIRIJA MENON,
W/O.(LATE) B. HARIHARA V,ARMA,
RESIDING AT PANJAJANYAM
MANAPPALLY KAVU, PANDARAKKAVU, YAKKARA AMSOM,
PALAKKAD 678013

BY ADVS.SRI.V.S.CHANDRASEKHARAN
SRI.M.V.DAS
SMT.LEKSHMI SWAMINATHAN
SMT.MARIAN G.M.THARAKAN

RESPONDENT(S)/RESPONDENT:

1. THE SUPERINTENDANT OF POLICE,
PALAKKAD 678 014

2. THE DEPUTY SUPERINTENDANT OF POLICE,
PALAKKAD 678 014

3. THE CIRCLE INSPECTOR OF POLICE,
SOUTH POLICE STATION, KUNNATHURMEDU, PALAKKAD 678013

4. THE SUB-INSPECTOR OF POLICE,
SOUTH POLICE STATION, PALAKKAD, PIN-678 013

5. VIMALA DEVI,
PANTHAPLAKKAL HOUSE, KADAKKAVUR, TRIVANDRUM
695 306

R BY GOVERNMENT PLEADER SRI.T.RAMAPRASAD UNNI
R BY SRI.MOHAMMED RAFIQ

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 11-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**THOTTATHIL B. RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

W.A. No. 1192 OF 2015

Dated this the 11th day of June, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

We have heard the learned counsel for the appellant, learned senior Government Pleader and the learned counsel for the 5th respondent.

2. The materials disclose that there are disputes between the appellant/writ petitioner and the 5th respondent, both of whom claim to be lawfully wedded to late Harihara Varma. We are clear in our mind that the learned single Judge was fully justified in holding that a private dispute between the two individuals relating to the property and of the nature, as raised, did not fall for adjudication in the writ jurisdiction under Article 226 of the Constitution. Be that as it may, on the totality of the facts and circumstances, it is necessary that respondents 1 to 4 will ensure that law and order prevails and any threat to the life of the appellant, if complained of, is looked into and necessary action taken.

3. Bereft of that, all that can be done is to order the writ appeal clarifying that nothing stated in the impugned judgment would stand in the way of either party seeking relief and remedies before the appropriate court in accordance with law.

In the result, this writ appeal is ordered directing that respondents 1 to 4 will ensure that law and order prevails and any real threat to the life, if complained of by the appellant, will be addressed in accordance with law. It is further clarified that any proceeding between the appellant and the 5th respondent before any court will be carried out untrammelled by anything stated in the judgment impugned in this writ appeal.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
Judge

Sd/-

SUNIL THOMAS
Judge

dpk

/true copy/ PS to Judge.

