

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**

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 1299 of 2015 (J)

PETITIONER(S) :

- 1. SULABHA,
W/O.PRASAD LAL, AGED 34 YEARS
RESIDING AT SARASA VILASOM
MANGALATHUKONAM, KATTA, CHALKUZHI P.O.
PIN-695509, VENGANOOR DESOM, VENGANOOR VILLAGE
THIRUVANANTHAPURAM TALUK.**
- 2. PRASAD LAL
S/O.GOPALAKRISHNAN,
AGED 42 YEARS, RESIDING AT SARASA VILASOM
MANGALATHUKONAM, KATTACHALKUZHI P.O., PIN-695509
VENGANOOR DESOM, VENGANOOR VILLAGE
THIRUVANANTHAPURAM TALUK**

BY ADV. SRI.B.S.SIVAJI

RESPONDENT(S) :

- 1. VIDHYADHARAN
S/O.APPUKUTTAN, LAKSHMI VILASAM, CHARIVU VILA
PERINGAMALA, KALLIYUR VILLAGE
THIRUVANANTHAPURAM -695042**
- 2. SHIBU @ PATTA SHIBU,
CHARIVU VILA, PERINGAMALA, KALLIYUR VILLAGE
THIRUVANANTHAPURAM -695042**
- 3. VIJAYAN
CHARIVU VILA, PERINGAMALA, KALLIYUR VILLAGE
THIRUVANANTHAPURAM -695042**
- 4. THE DISTRICT POLICE CHIEF (RURAL)
THIRUVANANTHAPURAM DISTRICT 695001**

5. THE CIRCLE INSPECTOR OF POLICE, NEMAM,
THIRUVANANTHAPURAM-695020

6. THE SUB INSPECTOR OF POLICE,
NEMAM, THIRUVANANTHAPURAM-695020

R4 TO R6 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Mn

...3/-

WP(C).No. 1299 of 2015 (J)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE SALE DEED NO.346/2014 IN THE SUB REGISTRAR OFFICE NEMAM ON 07.02.2014 WITH ENGLISH TRANSLATION.

EXHIBIT P2: TRUE COPY OF THE RECEIPT NO.1629009 DATED 14.07.2014 WITH ENGLISH TRANSLATION.

EXHIBIT P3: TRUE COPY OF THE INJUNCTION ORDER DATED 11.08.2014 IN IA.NO.6682/2014 IN OS.NO.1581/2014.

EXHIBIT P4: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 2ND PETITIONER BEFORE THE 6TH RESPONDENT DATED 13.02.2014 WITH ENGLISH TRANSLATION.

EXHIBIT P4(a):TRUE COPY OF THE RECEIPT WITH ENGLISH TRANSLATION.

EXHIBIT P5: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONERS BEFORE THE 6TH RESPONDENT WITH ENGLISH TRANSLATION.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

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

W.P.C.No.1299 of 2015

Dated this the 14th day of January 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard learned counsel for the petitioners and the learned State Attorney. No notice is being issued to respondents 1 to 3 in view of the judgment being passed today.

2. By this writ petition , the petitioners have prayed for a direction to respondents 4 to 6 to give adequate police protection to the life of the petitioners. With regard to the property in dispute, a suit filed by the petitioners being O.S.No.1581/2014 is pending before the Munsiff Court in which a temporary injunction order is claimed to have been passed. Petitioners refer to a complaint at Ext.P5 with regard to an incident dated 18/08/2014.

3. Learned State Attorney, after obtaining instructions, submits that after receipt of the complaint, parties were called and they informed that a civil suit is pending between the parties. Police advised them to seek appropriate remedy in the competent civil court.

4. In view of the fact that a civil suit is pending and after the filing of the complaint at Ext.P5, no untoward incident has been reported, we see no reason to continue this writ petition any further. We only observe that in the event of any offence or attempt to offence, it is open for the petitioners to file appropriate complaint before the police authorities.

With the above observation, this writ petition is disposed of.

(sd/-)
**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

