

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

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

WP(C) .No. 1752 of 2015 (T)

PETITIONER(S) :

1. M.K.RAJAN AGED 72 YEARS
KALEELAZHIKATHU PUTHEN VEEDU, KARIKUZHY, MAYYANAD P.O.
KOLLAM - 691 303.

2. VILOCHANA
KALEELAZHIKATHU PUTHEN VEEDU, KARIKUZHY, MAYYANAD P.O.
KOLLAM - 691 303.

BY ADVS.SRI.T.R.JAGADEESH
SRI.V.A.VINOD

RESPONDENT(S) :

1. SUPERINTENDENT OF POLICE, KOLLAM
PIN - 691 001.

2. ASSISTANT COMMISSIONER OF POLICE
CHATHANNOOR, KOLLAM - 691 572.

3. THE SUB INSPECTOR OF POLICE
KOTTAYAM CIRCLE, KOLLAM - 691 571.

4. SHAHUL HAMEED
MARAKKANVILA VEEDU, (KANJAMKUZHY) PLACE, THEKKUMKARA
PULLICHIRA P.O., KOLLAM - 691 304.

5. REMLA M
NOORDEEN'S BAITHALNOOR (KANJAMKUZHY) PLACE THEKKUMKARA
PULLICHIRA P.O., KOLLAM - 691 304.

6. BIJU
PUTHOORVEEDU, (KANJAMKUZHY) PLACE, THEKKUMKARA
PULLICHIRA P.O., KOLLAM - 691 304.

7. MANIKUTTAN
THOTTATHIL VEEDU, (KANJAMKUZHY) PLACE, THEKKUMKARA
PULLICHIRA P.O., KOLLAM - 691 304.

R TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 1752 of 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF PERMISSION GRANTED BY THE GROUND WATER
DEPARTMENT DATED 27/11/2014.

EXT.P2: TRUE COPY OF BUILDING PERMIT GRANTED BY THE MAYYANAD GRAMA
PANCHAYATH.

EXT.P3: TRUE COPY OF COMPLAINT DATED 12/01/2015 GIVEN TO THE
RESPONDENTS 1 TO 3.

EXT.P3 (A) : TRUE ENGLISH TRANSLATION OF EXHIBIT P3.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No. 1752 of 2015

Dated this the 27th January, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard learned counsel for the petitioners and the learned Government Pleader. Although notices were issued and served to respondents 4 to 7 by special messenger, nobody appears on their behalf.

2. In the Writ Petition the petitioners have prayed for a direction to respondents 1 to 3 to render adequate and effective protection to the life and property of the petitioners and to prevent the obstruction caused by respondents 4 to 7 preventing the petitioners from constructing tube well. The petitioners' case is that they have obtained necessary building permit and appropriate permission for digging a tube well in which respondents 4 to 7, without any rhyme or reason, are creating obstruction.

3. The learned Government Pleader, after obtaining instruction, has submitted that since the petitioners have necessary permission, the Police shall render adequate protection to the petitioners from any obstruction.

In view of the aforesaid submission by the learned Government Pleader, we dispose of the Writ Petition directing that the third respondent shall extend adequate protection regarding construction of tube well from any obstruction made by respondents 4 to 7.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs27/1/15