

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**

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 2298 of 2015 (J)

PETITIONER(S):

**CHANDRIKA S.,
KOCHUVILA VEEDU, KAYIKKARA P.O.
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.V.PREMCHAND
SRI.V.TEKCHAND**

RESPONDENTS:-:

- 1. THE CIRCLE INSPECTOR OF POLICE,
KADAKKYAVOOR POLICE STATION
THIRUVANANTHAPURAM DISTRICT.**
- 2. THE SUB-INSPECTOR OF POLICE,
ANCHUTHENGU POLICE STATION
THIRUVANANTHAPURAM DISTRICT.**
- 3. SHARATH,
UDAI VILAKOM SADHALEKSHMI BHAVAN, KAYIKKARA P.O.
THIRUVANANTHAPURAM DISTRICT, PIN - 695 309.**
- 4. SHEELA CHANDRABOSE,
UDAI VILAKOM SADHALEKSHMI BHAVAN, KAYIKKARA P.O.
THIRUVANANTHAPURAM DISTRICT, PIN - 695 309.**
- 5. DAALLY,
NEAR PANAYIL KUDI VEEDU, KAYIKKARA P.O.
THIRUVANANTHAPURAM DISTRICT, PIN - 695 309.**

R1 & 2 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 2298 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. TRUE COPY OF THE CERTIFICATE DATED NIL ISSUED FROM THE
SREE CHITHRA INSTITUTE OF MEDICAL SCIENCES AND
TECHNOLOGY, THIRUVANANTHAPURAM.**

**EXHIBIT P2. TRUE COPY OF THE PETITION DATED 10.01.2015 BEFORE THE
DEPUTY SUPERINTENDENT OF POLICE, ATTINGAL, WITH ENGLISH
TRANSLATION.**

**EXHIBIT P3. TRUE COPY OF HTE PETITION DATED 16.01.2015 BEFORE THE 2ND
RESPONDENT WITH ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

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

W.P.C.No.2298 of 2015

Dated this the 22nd day of January 2015

J U D G M E N T

Shaffique,J

Petitioner has approached this Court seeking police protection.

2. According to the petitioner, she is residing in a property with her three children. She is a heart patient and she is under regular treatment in a hospital. According to her, respondents 3 to 5 closed a thodu which was located on the southern side of her house. This action was opposed by her and complaints had been filed before the competent authorities. On knowing about the complaints given by the petitioner, respondents 3 to 5 became enemical and they had threatened the petitioner and her children. It is alleged that on 04/01/2015, respondents 3 to 5 and their men had destroyed the fencing placed across the boundary of the

petitioner's property and when it was questioned, she was attacked. Further, on 15/01/2015, petitioner's younger son, who is a Traffic Warden, was attacked with lethal weapons. Petitioner had submitted Ext.P3 complaint before the police, but since no action has been taken in the matter, she has approached this Court seeking police protection. According to the petitioner, unless proper protection is granted, she and her children will be put to severe hardship.

3. Learned State Attorney, on instructions, would submit that the complaint given by the petitioner had been enquired into at the proper time. With reference to the complaint given on 16/01/2015, it was understood that no such incident had happened. A perusal of the complaint also would indicate that it is of a general nature and does not disclose any specific details regarding the allegation of trespass, threat or attack.

4. In the said circumstances, we do not think that an order directing police protection, as sought for, need be

issued in this *writ petition*. However, we only observe that if there is any offence committed or attempt to commit offence, it shall be open for the petitioner to file appropriate complaint before the police, who shall take necessary action, in accordance with law.

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

(sd/-)

**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

