

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

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 2466 of 2015 (G)

PETITIONER :

SAPHIN S.S. AGED 22 YEARS
S/O.SYMON, THUNDUKANJIRAMNINNA VEETIL
THIRUPURAM VILLAGE, NEYYATTINKARA, PIN - 695 133
THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.KRISHNADAS P. NAIR
SRI.HARIDAS P.NAIR
SMT.K.L.SREEKALA
SRI.M.A.VINOD

RESPONDENTS :

1. SUPERINTENDENT OF POLICE
THIRUVANANTHAPURAM RURAL
THIRUVANANTHAPURAM DISTRICT - 695 001.
2. CIRCLE INSPECTOR OF POLICE,
NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT - 695 506.
3. SUB INSPECTOR OF POLICE,
POZHIYLOOR POLICE STATION
THIRUVANANTHAPURAM DISTRICT - 695 506.
4. RASSILAM, D/O.VICTORIYAL
PAVOOR KONATHU VEETIL, PENKADAMBU DESOM, KULATHOOR
NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT - 695 506.

R1 TO R3 BY SR.GOVERNMENT PLEADER, SRI. C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2466 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1- THE TRUE COPY OF THE LAND TAX, LOCATION SKETCH AND LOCATION
CERTIFICATE AND POSSESSION CERTIFICATE

EXT.P1(A)- THE TRUE COPY OF THE ENGLISH TRANSLATION OF P1.

EXT.P2- THE TRUE COY OF THE CERTIFICATE DATED 17.11.2014 ISSUED BY
KULATHOOR GRAMA PANCHAYATHU.

EXT.P2(A) - THE TRUE COPY OF THE ENGLISH TRANSLATION OF P2.

EXT.P3- THE TRUE COPY OF THE COMPLAINT DATED 8.12.2014 BEFOR
THE 3RD RESPONDENT.

EXT.P3(A) - THE TRUE COPY OF THE ENGLISH TRANSLATION OF P3.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 2466 OF 2015

Dated this the 23rd day of January, 2015

JUDGMENT

Shaffique, J.

Petitioner has approached this Court seeking police protection to carry out construction in his property. It is alleged that the 4th respondent and his men are obstructing the construction activities carried on in the property of petitioner. According to the petitioner, the 4th respondent has 'Kudikidappu' property near to the property of petitioner and is committing damages and obstructing the construction of the house forcibly.

2. Having regard to the nature of complaint raised in the writ petition, we are of the view that this is not a case where an order of police protection can be granted. As the petitioner's right to enjoy his property is being threatened by the 4th respondent, petitioner's remedy is therefore to approach the Civil Court and obtain appropriate orders.

In the result, the Writ Petition is dismissed without prejudice to the right of the petitioner to approach the Civil Court for appropriate relief.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**