

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

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C).No. 2673 of 2015 (H)

PETITIONER:

XAVIER M. LUKOSE, AGED 69 YEARS
MALIYAMPURACKAL HOUSE, PUNNAKUNNATHUSSERY
PULINCUNNO.PO, ALAPPUZHA DISTRICT, PIN-688504.

BY ADV. SRI.ROY CHACKO

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
PULINCUNNO POLICE STATION, PUNNAKUNNATHUSSERY
PULINCUNNO.P.O, ALAPPUZHA DISTRICT, PIN-688504.
 2. SIBY,
KOOTICHIRA HOUSE, PUNNAKUNNATHUSSERY, PULINCUNNO.PO
ALAPPUZHA DISTRICT, PIN-688504.
 3. S.NISHANT,
S/O.SUKUMARAN, LAKSHAM VEEDU HOUSING COLONY
PUNNAKUNNATHUSSERY, PULINCUNNO.P.O
ALAPPUZHA DISTRICT, PIN-688504.
 4. SANTHOSH,
VENGALATH HOUSE, KANNADI, PULINCUNNO.P.O
ALAPPUZHA DISTRICT, PIN-688504.
 5. PIUS,
KAITHAKALAM HOUSE, PUNNAKUNNATHUSSERY,
PULINCUNNO.P.O, ALAPPUZHA DISTRICT, PIN-688504.

R1 BY SR. GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2673 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE BUILDING PERMIT DATED 14.01.2015

EXT.P2 TRUE COPY OF THE SITE PLAN OF THE RESIDENTIAL BUILDING APPROVED BY THE
SECRETARY OF THE CHEMPAKULAM GRAMA PANCHAYATH IN SY.NO.541/1 OF
CHEMPAKULAM VILLAGE.

EXT.P3 TRUE COPY OF THE REPRESENTATION DATED 21.1.2015 SUBMITTED BEFORE THE
SUB INSPECTOR.

EXT.P3(A) TRUE COPY OF THE ENGLISH TRANSLATION OF THE REPRESENTATION DATED
21.01.2015 SUBMITTED BEFORE THE SUB INSPECTOR.

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

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

W.P.(C) No.2673 of 2015

Dated this the 9th day of February 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection for constructing a building in terms of Ext.P1 building permit. It is submitted that respondents 2 to 5 are obstructing the construction of the building. The petitioner refers to an incident, which happened on 21.1.2015 when the construction work was being carried out, the workers of the petitioner were obstructed by private respondents and their men. Though complaint was given to the police, no action has been taken in the matter.

2. Despite service of notice on private respondents 2 to 5, there is no appearance on their behalf.

3. Learned Government Pleader submits that if any law and order situation arises, the police shall provide necessary protection.

In the light of the above submission made by the learned Government Pleader, this Writ Petition is disposed of directing the first respondent to ensure that no law and order

-: 2 :-

situation is created by respondents 2 to 5 in the matter relating to construction of building by the petitioner in terms of Ext.P1 building permit.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt