

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE**

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 2833 of 2015 (D)

PETITIONER(S):

**K.MUHAMMED ASHRAF, AGED 45 YEARS
S/O.ABOOTTY HAJI, RESIDING AT 'LIWA'
PERUVALATHUPARAMBA P.O., IRIKKUR AMSOM
TALIPARAMBA TALUK, KASARAGOD DISTRICT - 670 593.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE HOME SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695001.**
- 2. SUB INSPECTOR OF POLICE
IRIKKUR POLICE STATION, IRIKKUR P.O.
KANNUR DISTRICT - 670 593.**
- 3. DISTRICT POLICE CHIEF, KANNUR DISTRICT
KANNUR - 670 593.**
- 4. K.HASHIR, S/O.MEMI, K.V.P.S. VILLA, PAISAI,
P.O. IRIKKUR, KANNUR DISTRICT - 670 593.**
- 5. K.HARIS, S/O.MEMI, K.V.P.S. VILLA, PAISAI, P.O.
IRIKKUR, KANNUR DISTRICT - 670 593.**
- 6. K.ANSAR, S/O.MEMI, K.V.P.S. VILLA, PAISAI,
P.O. IRIKKUR, KANNUR DISTRICT - 670 593.**
- 7. K.ANWAR, S/O.MEMIK.V.P.S. VILLA, PAISAI,
P.O.IRIKKUR, KANNUR DISTRICT - 670 593.**

R1-3 BY STATE ATTORNEY SRI.P.V.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 2833 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE COMPLAINT GIVEN BY THE PETITIONERS WIFE BEFORE
THE 3RD RESPONDENT DATE 3.12.2014**
- P2- TRUE COY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
CIRCLE INSPECTOR OF POLICE, MATTANNUR DATED 6.12.2014 WITH
ENGLISH TRANSLATION**
- P3- TRUE COPY OF THE POSTAL RECEIPT ISSUED TO BY THE POSTAL
AUTHORITIES DATED 6.12.2014**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

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

W.P.(C) No.2833 OF 2015

Dated this the 29th day of January, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking police protection, alleging threat from Respondents 4 to 7 to the petitioner and his family. The petitioner submits that he is residing with his wife and children and he filed a suit against M/s. Malabar Sands and Stones (Pvt.) Ltd., Parappa, Alakode, which is managed by Respondents 4 to 7. The petitioner also obtained an interim order of injunction preventing illegal quarrying from the petitioner's property. This had created enmity from Respondents 4 to 7 against the petitioner.

2. The petitioner has approached the police and a case has already been registered by the police as Crime No.738/2014 of Irikkur Police Station. The petitioner further gave a complaint Ext.P2, alleging that there had been threats by the party respondents, with reference to an incident that occurred on 04.12.2014 at 10.30 p.m.

3. The learned State Attorney, on instructions, would submit that the police has already registered a crime against the miscreants and investigation is in progress. With reference to the incident that happened on 04.12.2014, necessary measures had been taken and it is submitted that after the said date, no untoward incident has been reported.

4. Having regard to the nature of contention urged in the matter, we do not think that notice is required to be issued to the private respondents.

5. It is apparent that a case has already been registered against the miscreants as evident from Crime No.738/2014. Since Ext.P2 also discloses that an attempt is being made by certain persons to inflict injury to the petitioner and the family members, this is a matter which requires investigation by the police. The police will have to keep a constant vigil on the action of Respondents 4 to 7 and the police is duty bound to keep law and order in the area.

6. Having regard to the aforesaid facts, this writ petition is disposed of, directing the 2nd Respondent to keep a constant vigil in the area where the petitioner and his family resides and

take appropriate action to ensure the law and order.

Sd/-
**ASHOK BHUSHAN,
ACTING CHIEF JUSTICE.**

Sd/-
**A.M. SHAFFIQUE,
JUDGE.**

//true copy//

P.S. To Judge

st/-