

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

WP(C).No. 2849 of 2015 (E)

PETITIONER(S):

**PAREKKULAM MANOJ SAKKARIYAS, AGED 37 YEARS
S/O.PAREKKULAM SEBASTIAN, AGRICULTURIST, ALAKODE AMSOM
ARANGAM DESOM, KARTHIKAPURAM, KANNUR 670 571.**

BY ADV. SRI.MAHESH V RAMAKRISHNAN

RESPONDENT(S):

- 1. THE DISTRICT POLICE CHIEF
KANNUR 670 001.**
- 2. SUB INSPECTOR OF POLICE
ALAKODE, KANNUR 670 571.**
- 3. PALLIYALIL JOY,
S/O.PALLIYALIL PAPPA, PRESIDENT UDAYAGIRI VILLAGE
PANCHAYATH, RESIDING AT UDHAYAGIRI, ALAKODE
KANNUR 670 571.**

R1 & BY SENIOR GOVERNMENT PLEADER SRI.PJ.DAVIS

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

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1** TRUE COPY OF THE WRITTEN STATEMENT DATED NIL FILED THE DEFENDANTS IN O.S NO 518/2013 ON THE FILE OF THE MUNSIFF COURT,TALIPARAMBA
- EXHIBIT P2** TRUE COPY OF THE COMPLAINT DATED 05-11-2014 SENT BY THE PETITIONER TO THE RESPONDENTS 1 AND 2 BY REGISTERED POST, TOGETHER WITH ENGLISH TRANSLATION
- EXHIBIT P3** TRUE COPY OF THE COMPLAINT DATED 06-11-2014 SUBMITTED BY PETITIONER BEFORE THE 1ST RESPONDENT TOGETHER WITH ENGLISH TRANSLATION
- EXHIBIT P4** TRUE COPY OF THE RECEIPT DATED 06-11-2014 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER TOGETHER WITH TRUE ENGLISH TRANSLATION

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

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

W.P.(C) No.2849 OF 2015

Dated this the 29th day of January, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking police protection, *inter alia* contending that Respondent No.3 along with certain people in the locality has trespassed into his property and destroyed the improvements like Teak trees, rubber trees etc.

2. It is alleged that an attempt is being made by the P.W.D. Authorities for widening of a road through the property of the petitioner. The petitioner filed a suit O.S.No.518 of 2013 before the Munsiff Court, Taliparamba, in which the defendants, the Assistant Engineer, P.W.D and others filed a written statement stating that they do not intend to forcefully enter into the property of the petitioner. The suit is pending consideration.

3. The 3rd Respondent, being the President of the Panchayat has therefore threatened the petitioner that if he obstructs the widening of the road, they will manhandle him and pursuant to that on 04.11.2014, he and his men have created havoc by trespassing into the property of the petitioner. Though the petitioner filed a complaint before the police, Ext.P3, no action has been taken. Apprehending threat to life, the petitioner has approached this Court for seeking police protection.

4. The learned Senior Government Pleader, on instructions, would submit that based on Ext.P3 complaint, a crime has been registered against the 3rd Respondent and several others, which is under investigation.

5. Having regard to the fact that the police has already taken appropriate steps on the complaint given by the petitioner, it is clear that the police will take necessary action if there is any law and order problem.

6. Under such circumstances, there is no necessity to issue any further direction. However, if there is any law and order problem, it shall be open for the petitioner to approach the police, who shall look into the matter.

The writ petition is disposed of accordingly.

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

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

//true copy//

P.S. To Judge

st/-