

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 5929 of 2013 (M)

PETITIONER(S)/PETITIONERS :

1. AMINA, AGED 65 YEARS,
W/O.BEERAN KOYA, KIZHAKKECHALIL, CHEVAYOOR VILLAGE,
NELLIKODE AMSOM, KOVOOR DESOM, KOZHIKODE TALUK,
MEDICAL COLLEGE P.O, KOZHIKODE.
2. SHAHIDA T.K., AGED 38 YEARS,
D/O.BEERAN KOYA, KIZHAKKECHALIL, CHEVAYOOR VILLAGE,
NELLIKODE AMSOM, KOVOOR DESOM, KOZHIKODE TALUK,
MEDICAL COLLEGE P.O, KOZHIKODE.
3. RAIHAN, AGED 16 YEARS,
D/O.BEERAN KOYA, KIZHAKKECHALIL, CHEVAYOOR VILLAGE,
NELLIKODE AMSOM, KOVOOR DESOM, KOZHIKODE TALUK,
MEDICAL COLLEGE P.O, KOZHIKODE.
MINOR REP. BY HER MOTHER SHAHIDA.T.K., DO DO DO

BY ADV. SMT.T.B.MINI

RESPONDENT(S):

1. STATE OF KERALA,
REP. BY THE HOME SECRETARY TO THE GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE COMMISSIONER OF POLICE,
KOZHIKODE, KOZHIKODE-1.
3. THE ASSISTANT COMMISSIONER OF POLICE,
NORTH, NADAKAVU, KOZHIKODE 11.
4. THE CIRCLE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, KOZHIKODE-8.
5. THE SUB INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, MEDICAL COLLEGE P.O.,
KOZHIKODE- 8.

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6. SUNIL KUMAR, AGED 42 (TAXI DRIVER),
S/O.UNNIRIKUTTY, KIZHAKKECHALIL HOUSE,
P.O MEDICAL COLLEGE, KOZHIKODE-673 008.
7. RAVI, AGED 50, S/O.BALAN,
KIZHAKKECHALIL HOUSE, P.O MEDICAL COLLEGE,
KOZHIKODE -673 008.
8. MANOHARAN, AGED 48,
S/O.ACHUTHAN NAIR, KIZHAKKECHALIL HOUSE,
P.O MEDICAL COLLEGE, KOZHIKODE -673 008.
9. MAHEENDRAN, AGED 44,
S/O.ACHUTHAN NAIR, KIZHAKKECHALIL HOUSE,
P.O MEDICAL COLLEGE, KOZHIKODE -673 008.
10. SUDHEESH KUMAR, AGED 35,
S/O.UNNIRIKUTTY, KIZHAKKECHALIL HOUSE,
P.O MEDICAL COLLEGE, KOZHIKODE -673 008.
11. PRAJOSH KUMAR, AGED 42,
S/O.VELAYUDHAN, KIZHAKKECHALIL HOUSE,
P.O MEDICAL COLLEGE, KOZHIKODE -673 008.
12. MUNEER, AGED 48 YEARS,
MUNNAS HOUSE, VELLIYAKAD PARAMBU,
CHELAVOOR P.O., KOZHIKODE TALUK. PIN-673 571.
13. SHIBU, AGED 50 YEARS,C/O.MUNEER,
MUNNAS HOUSE, VELLIYAKAD PARAMBU,
CHELAVOOR P.O, KOZHIKODE TALUK.PIN- 673 571.
14. ABOOBACKER, AGED 45 YEARS,
MEDICAL COLLEGE POLICE STATION, MUNNAS HOUSE,
VELLIYAKAD PARAMBU, CHELAVOOR P.O.,
KOZHIKODE TALUK. PIN-673 571.

R1 TO R5 BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R6,R8 TO R14 BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

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APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE SETTLEMENT DEED NO.2719/98 OF CHEVAYOOR SRO.**
- EXHIBIT P2. TRUE COPY OF THE TAX RECEIPT PAYING TAX TO THE EXHIBIT P1 PROPERTY.**
- EXHIBIT P3. TRUE COPY OF THE AGREEMENT.**
- EXHIBIT P4. TRUE COPY OF THE JUDGMENT IN WPC NO.21355/2012 OF THIS HON'BLE COURT DIRECTING THE RESPONDENT TO GIVE PROTECTION TO THE LIFE OF THE PETITIONERS.**
- EXHIBIT P5. TRUE COPY OF THE LETTER ISSUED BY THE RESPONDENT REFERRING CRIME 526/212 OF MEDICAL COLLEGE POLICE STATION.**
- EXHIBIT P5(a). TRUE COPY OF THE LETTER ISSUED BY THE RESPONDENT REFERRING CRIME NO.446/12 OF MEDICAL COLLEGE POLICE STATION.**
- EXHIBIT P5(b). TRUE COPY OF THE LETTER ISSUED BY RESPONDENT IN CRIME NO.528/12.**
- EXHIBIT P6. TRUE COPY OF THE SUMMONS ISSUED IN CC NO.868/12 IN CRIME NO.471/12.**
- EXHIBIT P7. TRUE COPY OF THE SUMMONS ISSUED IN ST NO.2872/12 IN CRIME NO.503/12.**
- EXHIBIT P8. TRUE COPY OF THE REPRESENTATION BEFORE THE 5TH RESPONDENT DATED 10.10.2012.**
- EXHIBIT P9. TRUE COPY OF REPRESENTATION BEFORE THE 5TH RESPONDENT DATED 31.01.2013.**
- EXHIBIT P10. TRUE COPY OF THE COMPLAINT DATED 6/9/2012 BEFORE THE COMMISSIONER**
- EXHIBIT P11. TRUE COPY OF THE COMPLAINT DATED 7/9/2012 BEFORE CIRCLE INSPECTOR OF POLICE**
- EXHIBIT P12. TRUE COPY OF THE COMPLAINT DATED 11/9/2012**

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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

W.P.(C) No.5929 of 2013

Dated this the 27th day of November 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court seeking for police protection alleging that respondents 6 to 14 were threatening them.

2. Learned Government Pleader on instructions would submit that during the pendency of the writ petition, no untoward incident has been reported.

Hence, we close the writ petition with liberty to the petitioners to approach the police, if there is any further cause of action.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

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

Jvt/27.11.2015.