

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

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 3355 of 2015 (T)

PETITIONERS :

1. SALEENA MOHAMMED, AGED 49 YEARS
D/O SULAIMAN RAWTHER, R/AT PULIMMOOTTIL HOUSE
NIRANAM NORTH PO, THIRUVALLA
PATHANAMTHITTA DISTRICT , PIN-689621
2. HASEENA BEEVI, AGED 53 YEARS
D/O SULAIMAN RAWTHER, R/AT MADAPPILLIL HOUSE
PUZHIKADU, KUDASSANADU PO, PANDALAM
PATHANAMTHITTA DISTRICT PIN-689512

BY ADVS.SMT.T.S.MAYA (THIYADIL)
SRI.P.Y.AHAMMED PHYSI

RESPONDENTS :

1. DY.S.P. CHENGANNOOR, PIN-689121
2. SUB INSPECTOR CHENGANNUR POLICDE STATION, PIN-689121
3. ABDUL MAJEED, AGED 48 YEARS
S/O PA SULAIMAN RAWTHER
R/AT PARAPPATHU PUTHEN VEEDU, MULAKUZHA
CHENGANNOOR TALUK, ALAPPUZHA DISTRICT, PIN-689505
4. JOHN MATHEW, AGED ABOUT 50 YEARS
S/O.MATHEW RT/AT KODARATHIL VEEDU, PRAVINKODE
CHENGANNUR PO, PIN-689121

R1 & R2 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1: THE COPY OF THE ORDER OF THE HON'BLE DRT IN IA 2704/2012 IN
SA 761/2012.

EXHIBIT P2: THE COPY OF THE PLAINT IN OS 5/2013 PENDING BEFORE THE SUB
COURT, CHENGANNOOR.

EXHIBIT P3: THE COPY OF THE COMPLAINT GIVEN BY THE PETITIONER AND BEFORE
THE 2ND RESPONDENT DATED 10.1.2015.

EXHIBIT P4: THE COPY OF THE COMPLAINT GIVEN BY THE PETITIONER AND THE
RECEIPT ISSUE BY THE 1ST RESPONDENT DATED 25.1.2014

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

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Dated this the 10th day of February, 2015

JUDGMENT

Ashok Bhushan, Ag.C.J.

Heard learned counsel for the petitioners and learned Government Pleader.

2. By this writ petition the petitioner have prayed for a direction to respondents 1 and 2 to take necessary action against Exts.P3 and P4 complaints and to render adequate and meaningful police protection to the life of the petitioners.

3. Petitioners have already filed a suit regarding partition of the property which is pending consideration. Certain amounts have already been deposited before the Debt Recovery Tribunal to avoid further coercive action. Petitioners' grievance is that they are not able to enjoy the property.

4. We are of the view that present is a case where appropriate relief has to be obtained by the petitioners from the Civil Court. There is no case for issuing any direction for police protection. Learned Government Pleader is right in his submission that there is no threat to the life of the petitioners

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and complaints do not indicate so. In view of the aforesaid, we close the Writ Petition.

**Ashok Bhushan,
Acting Chief Justice.**

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

ttb/10/02