

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 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 3505 of 2015 (K)

PETITIONER:

N.C.CHANDRABHANU AGED 52 YEARS
S/O.CHANDRANANDAN, NEDUNGAYIL HOUSE, ILLIKKAL JUNCTION
KUMBALANGHI, KOCHI-682007.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:

1. SUB INSPECTOR OF POLICE
CUSBA POLICE STATION, PALLURUTHI, KOCHI.
2. ASSISTANT POLICE COMMISSIONER
THOPPUMPADY, KOCHI.
3. JACOB @ KUNJAPPAN, AGED 63 YEARS
S/O.SOURI, MANAKKAL HOUSE, K.P. 3/639
ILLIKKAL JUNCTION, KUMBALANGHI, KOCHI-682007.
4. M.J.XAVIER @ JOMON, AGED 33 YEARS
S/O.JACOB MANAKKAL HOUSE, K.P.3/639, ILLIKKAL JUNCTION
KUMBALANGHI, KOCHI-682007.
5. JOBY JACOB, AGED 31 YEARS
S/O.JACOB MANAKKAL HOUSE, K.P.3/639, ILLIKKAL JUNCTION
KUMBALANGHI, KOCHI-682007.

R3-R5 BY ADV. SRI.JOSEPH EDAKKATT
R3-R5 BY ADV. SRI.P.P.SUBHASH CHANDRAN
BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 3505 of 2015 (K)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT-P1: TRUE PHOTOCOPY OF THE JUDGMENT IN O.S.NO.17/2012 DATED
13.4.2012 IN THE FILE OF MUNSIFF'S COURT, KOCHI.

EXHIBIT-P2: TRUE PHOTOCOPY OF THE COMPLAINT PREFERRED BY THIS
PETITIONER'S WIFE BEFORE 1ST RESPONDENT DATED 15.1.2015.

EXHIBIT-P2(A): TRUE ENGLISH TRANSLATION.

EXHIBIT-P3: TRUE PHOTOCOPY OF THE COMPLAINT PREFERRED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT-P3(A): TRUE ENGLISH TRANSLATION OF EXHIBIT-P3.

RESPONDENT'S EXHIBITS

NIL

TRUE COPY

PA TO JUDGE

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

*** * * * ***

W.P.C.No.3505 of 2015

Dated this the 18th day of December 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection alleging threat from respondents 3 to 5.

2. It is submitted by the learned Government Pleader that during the pendency of the writ petition, no untoward incident has been reported. That apart, the issue between the parties is with reference to the use of a pathway.

Having regard to the factual circumstances involved in the case, we do not think that any direction, as sought for, can be granted in this case. Police can interfere only if any offence is committed or there is any attempt to commit offence. In that event, it is always open for the petitioner to file necessary complaint before the police who shall look into

the matter and take appropriate action, in accordance with law.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr19/12/2015