

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

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 3552 of 2015 (T)

PETITIONER(S) :-

VASUDEVAN P.N, AGED 66 YEARS
S/O.VELUTHAKUNJU
POLAYIL KAROTTU PALLATHU HOUSE, KARITHOTTA P.O
MEZHUVELI, PATHANAMTHITTA DISTRICT

BY ADV. SRI.K.N.RADHAKRISHNAN(THIRUVALLA)

RESPONDENT(S) :-

1. STATE OF KERALA
REPRESENTED BY SECRETARY, HOME DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.
2. DISTRICT POLICE CHIEF, PATHANAMTHITTA, PIN - 689 645
3. SUB INSPECTOR OF POLICE, PANDALAM POLICE STATION
PATHANAMTHITTA DISTRICT PIN-689645
4. SALIM M.G., S/O.GOPALAN, AGED ABOUT 44 YEARS
MAROTTITHADATHIL HOUSE, KARITHOTTA P.O
MEZHUVELI, PATHANAMTHITTA DISTRICT, PIN-689 645
5. AVAL RAJ, S/O.RAJAN, AGED 35 YEARS
MAROTTITHADATHIL HOUSE, KARITHOTTA P.O
MEZHUVELI, PATHANAMTHITTA DISTRICT, PIN-689 645.

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

WP(C).No. 3552 of 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 - COPY OF FIR IN CRIME NO.1351/2014 OF PANDALAM POLICE STATION.

EXT.P1(a) - ENGLISH TRANSLATION OF EXHIBIT P1.

EXT.P2 - TRUE COPY OF REPRESENTATION SUBMITTED BEFORE THE SECOND RESPONDENT
DATED 30-01-2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.3552 of 2015

Dated this the 4th day of February 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking for police protection. According to him, he along with his wife and children are residing in the building owned by him. There had been an incident on 18.1.2015, by which, an attempt was made by the private respondents to erect a readymade structure like Hundi in the petitioner's property, which was removed at the instance of the police. The petitioner also refers to a suit, which was filed by the 4th respondent as O.S.No.389 of 2014 before the Munsiff's Court, Pathanamthitta claiming right over certain item of property. A complaint has been filed alleging that respondent Nos.4 and 5 are threatening the petitioner and involving in several illegal activities.

2. Though a complaint has been filed before the police, no action has been taken in the matter apart from registering a crime. Therefore, the petitioner has approached this Court seeking police protection for their life and property.

3. Learned State Attorney on instructions would submit

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that though the petitioner narrates an incident, which happened on 19.1.2015, there is no reference to such an incident in Ext.P2 complaint. That apart, a crime has already been registered with reference to an incident that happened on 21.9.2014 and after which, no untoward incident has been reported so far. If any law and order situation arises, the police shall interfere in the matter and do the needful.

4. Having regard to the aforesaid submission of the learned State Attorney, we do not think it necessary to issue any further direction as sought for in this writ petition. In view of the nature of order being passed in the writ petition, we see no reason to issue notice to respondents 4 and 5. We only observe that if there is any offence being committed or attempt to commit any offence, on the complaint of the petitioner, police shall look into the matter and do the needful.

With this observation, this Writ Petition is disposed of.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE