

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 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 3737 of 2015 (N)

PETITIONER(S)/PETITIONER:-:

BAIJU, AGED 42 YEARS  
S/O.DEVASYA, VYSAK BHAVAN, CHERUPOIKA P.O.  
PAVITHRESWARAM VILLAGE, KOTTARAKARA.

BY ADVS.SRI.ALEXANDER GEORGE  
SRI.D.SREEKUMAR (KALAMASSERY)

RESPONDENT(S)/RESPONDENTS:-:

1. THE CIRCLE INSPECTOR OF POLICE,  
EZHUKONE, KOLLAM DISTRICT - 691 506.

2. THE SUB INSPECTOR OF POLICE,  
EZHUKONE POLICE STATION, KOTTARAKKARA  
KOLLAM DISTRICT - 691 506.

3. REMANAN,, AGED 46 YEARS  
S/O.THANKAPPAN, REMYA BHAVAN, CHERUPOIKA P.O.  
PAVITHRESWARAM VILLAGE, KOTTARAKARA - 691 506.

4. RENJITH, AGED 19 YEARS  
S/O.REMANAN, REMYA BHAVAN, CHERUPOIKA P.O.  
PAVITHRESWARAM VILLAGE, KOTTARAKARA - 691 506.

5. RAHUL,, AGED 18 YEARS  
RAHUL BHAVAN, MECHIRA, CHERUPOIKA P.O.  
PAVITHRESWARAM VILLAGE, KOTTARAKARA - 691 506.

6. SANDEEP,, AGED 20 YEARS  
S/O.SATHYAN, SARVESWARI BHAVAN, MECHIRA  
CHERUPOIKA P.O., PAVITHRESWARAM VILLAGE  
KOTTARAKARA - 691 506.

BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 05-02-2015, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. A TRUE COPY OF THE POLICE COMPLAINT DATED 13.03.2014 FILED BY THE PETITIONER BEFORE THE SUPERINTENDENT OF POLICE, KOTTARAKARA.

EXHIBIT P1(A). TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P1.

EXHIBIT P2. A TRUE COPY OF THE FIR NO.390 DATED 27.03.2014.

EXHIBIT P2(A). TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P2.

EXHIBIT P3. THE TRUE COPY OF THE PETITION FILED BY THE PETITIONER'S WIFE BEFORE THE FIRST RESPONDENT.

EXHIBIT P3(A). TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P3.

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

.....  
W.P. (C )No. 3737 of 2015 –B  
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Dated this the 5<sup>th</sup> day of February 2015

JUDGMENT

*Ashok Bhushan, Ag.CJ.*

Heard the learned counsel for the petitioner as well as the learned State Attorney.

2. By this Writ Petition, the petitioner has prayed for a mandamus directing the 2<sup>nd</sup> respondent to afford adequate and effective police protection against the illegal acts and obstruction caused by respondents 3 to 6.

3. Petitioner's case in the Writ Petition is that respondent Nos. 3 to 6 have destroyed the pathway which was in their document of title. On the complaint of the petitioner, a crime has already been registered against the party respondents. Copy

of the FIR is produced as Ext. P2. Petitioner's case is that respondents have again threatened and an incident occurred on 11-1-2015 has also been mentioned in paragraph 8 of the Writ Petition.

4. The learned State Attorney submits that no complaint with regard to the incident occurred on 11-1-2015 has been reported and as on date, no other crime has been registered. The case already registered against the respondents is under investigation.

5. In view of the above, we see no reason to issue any direction as prayed for. We only observe that in case any offence is being committed or attempted, it shall open for the petitioner to submit appropriate complaint.

With the above observation, this Writ Petition is closed.

Sd/-ASHOK BHUSHAN ,  
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,  
JUDGE

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/truecopy/

P.S.toJudge