

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

MONDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA 1936

WP(C).No. 3892 of 2015 (J)

PETITIONER(S) :

1. AYISHA, K.B., D/O. YOUSAF M.T.P.,
AGED 26 YEARS,
FATHIMA MANZIL, K.B. HOUSE, KAIPAD, PADNE P.O.,
KASARAGOD DISTRICT

2. SHIBIN K. S/O. BALAKRISHNAN, AGED 30 YEARS,
KALLATHURA QUARTERS,
QUARTYER VALAPP, KANHANGAD P.O. KASARAGOD
DISTRICT

BY ADV. SRI.P.K.SUBHASH

RESPONDENT(S) :

1. THE DISTRICT POLICE CHIEF, KASARAGOD
PIN - 671 121

2. CIRCLE INSPECTOR OF POLICE, NILESHWAR -671 314

3. THE STATION HOUSE OFFICER, CHANDERA POLICE
STATION, KASARGAOD DISTRICT - 671 121

4. YOUSAF MTP., FATHIMA MANZIL, K.B. HOUSE,
KAPIAD, PADNE P.O. KASARAGOD DISTRICT - 671 312

BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 06-02-2012, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXTS:

EXT.P1: A TRUE COPY OF THE ELECTION
IDENTITY CARD OF THE 1ST PETITIONER

EXT.P1 A: TRUE COPY OF THE IDENTITY
CARD OF THE 2ND PETITIONER

EXT. P2: A TRUE COPY OF THE RELEVANT
PAGE OF SSLC BOOK ISSUED TO THE 1ST
PETITIONER

EXT. P2 (A): A TRUE COPY OF THE
RELEVANT PAGE OF SSLC BOOK ISSUED TO
THE 2ND PETITIONER

EXT. P3: A TRUE COPY OF THE MARRIAGE
CERTIFICATE ISSUED BY THE ARYA SAMAJ
MANDIR CALICUT DATED 23-1-2015

EXT.P4: A TRUE COPY OF THE RECEIPT SHOWING
THE PAYMENT FOR MARRIAGE CERTIFICATE DATED
29-01-2015

/TRUE COPY/

P.S. TO JUDGE

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

.....
W.P. (C) No. 3892 of 2015 – J
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Dated this the 6th day of February, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner and the learned State Attorney. No notice is being issued to the 4th respondent in view of the order being passed.

2. Case of the petitioners' in the Writ Petition is that both the petitioners have become major. They have performed their marriage on 23-01-2015. It is submitted that the first petitioner belongs to Hindu Community and the 2nd petitioner belongs to Muslim community. It is further submitted that the

said marriage has not been liked by the 4th respondent, father of the first petitioner. The 4th respondent had filed a complaint before the police for 'man missing'. Learned counsel for the petitioners submits that the petitioners are ready to appear before the Magistrate, Hosdurg, Kasaragod. However, they require police protection even for appearing before the Magistrate.

In this context, we are of the view that if the petitioners approach before respondent No. 1, appropriate protection be provided to them to appear before the Magistrate, in which case, the Magistrate shall proceed in accordance with law.

Sd/- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFIQUE,
JUDGE

ari/

/truecopy/

P.S.toJudge