

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**

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

WP(C).No. 3900 of 2015 (J)

PETITIONER :

**RAMESH MENON, AGED 45 YEARS,
S/O.UNNIKRISHNAN MENON, RESIDING AT THUSHARA,
EDUTHIL LANE, CHEEYARAM, THRISSUR.**

BY ADV. SRI.PAULSON THOMAS

RESPONDENTS :

- 1. SUB INSPECTOR OF POLICE
KOVALAM POLICE STATION, KOVALAM P.O., PIN-685526.**
- 2. CHELLAPPAN MOHANAN, AGED 60 YEARS,
BHAMALAYAM, POONKOTTUKONAM, VENGANOOR DESOM,
THIRUVALLAM VILLAGE, NEYYATTINKARA TALUK,
NOW RESIDING AT BHAMALAYAM, POONKODE, BHAGAVATHINADA,
PALLICHAL DESOM, PALLICHAL VILLAGE.**
- 3. DHANUSH, AGED 26 YEARS,
S/O.C.MOHANAN, BHAMALAYAM, POONKODE,
BHAGAVATHINADA, PALLICHAL DESOM,
PALLICHAL VILLAGE, NEYYATTINKARA.**

BY SENIOR GOVERNMENT PLEADER SRI. C.R. SAYMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE JUDGMENT IN OS 481/2011.
- EXT.P2 : TRUE COPY OF THE MEMORANDUM OF APPEAL NO.AS 108/2014
FILED BY THE PETITIONER BEFORE SUB COURT, NEYYATTINKARA.
- EXT.P3 : TRUE COPY OF THE UNDERTAKING IN OS 481/2011.
- EXT.P4 : TRUE COPY OF THE COMMISSION REPORT WITH ENGLISH
TRANSLATION.
- EXT.P5 : TRUE COPY OF THE REPORT OF THE ASSISTANT ENGINEER PWD
SHOWING THE EXPENDITURE INCURRED BY THE PETITIONER IN THE
BUILDING.
- EXT.P6 : TRUE COPY OF THE FIR WITH TRANSLATION OF MALAYALAM PART.
- EXT.P7: TRUE COPY OF THE ACKNOWLEDGMENT ISSUED BY THE
DEPARTMENT OF INDUSTRIES IN TOKEN OF THE REGISTRATION OF
BUSINESS CONDUCTED BY PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

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

.....
W.P. (C) No. 3900 of 2015 – J
.....

Dated this the 6th day of February, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner as well as the learned Government Pleader.

2. By this Writ Petition, the petitioner has prayed for a direction to the first respondent to afford adequate protection to the petitioner and the tourists who visit the “Light House Cape Beach Resort” at Kovalam. Petitioner himself has referred to in the Writ Petition that Original Suit No. 481/2011 was filed by the petitioner against which order an appeal A.S. 108/2014 is pending.

3. Learned Government Pleader submits that counter claim in the suit was allowed.

4. The dispute between the parties is pending consideration before the appellate authority, we are of the view that it is open for the petitioner to approach the appropriate authority for such relief, as may be permissible in law.

Hence this Writ Petition for police protection cannot be entertained. Accordingly, this Writ Petition is dismissed.

Sd/- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/-A.M.SHAFFIQUE,
JUDGE

ari/

/truecopy/

P.S.toJudge