

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 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 4235 of 2015 (D)

PETITIONER(S) :-

JOY, AGED 51 YEARS
S/O.ALAPPATTU KOTTOLI PAULOSE
MANAVALASSERY VILLAGE AND DESOM, IRINJALAKUDA
MUKUNDAPURAM TALUK, THRISSUR DISTRICT

BY ADVS.SRI.THOMSTINE K.AUGUSTINE
SRI.K.C.THOMAS (PALA)

RESPONDENT(S) :-

1. THE SUPERINTENDENT OF POLICE
THRISSUR DISTRICT - 680001.
2. THE SUB INSPECTOR OF POLICE
IRINJALAKUDA POLICE STATION
THRISSUR DISTRICT - 680001.
3. XAVIER,
S/O.ALAPPATTU KOTTOLI PAULOSE
MANAVALASSERY VILLAGE AND DESOM, IRINJALAKUDA
MUKUNDAPURAM TALUK, THRISSUR DISTRICT - 680121.
4. OMANA
W/O.ALAPPATTU KOTTOLI XAVIER
MANAVALASSERY VILLAGE AND DESOM, IRINJALAKUDA
MUKUNDAPURAM TALUK, THRISSUR DISTRICT - 680121.
5. MITHUN XAVIER @ KUTTAN
S/O.ALAPPATTU KOTTOLI XAVIER
MANAVALASSERY VILLAGE AND DESOM, IRINJALAKUDA
MUKUNDAPURAM TALUK, THRISSUR DISTRICT - 680121.

R1 & R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1:TRUE COPY OF THE ORDER DATED 04.06.2011 IN IA. NO.1932/2011 IN OS. NO.1062/2011 OF PRINCIPAL MUNSIF COURT, IRINJALAKUDA.

EXT.P1(a):TRUE ENGLISH TRANSLATION OF EXT P1.

EXT.P2:TRUE COPY OF THE JUDGMENT DATED 15.02.2014 IN OS.NO. 1062/2011 OF PRINCIPAL MUNSIF COURT, IRINJALAKUDA.

EXT.P3:TRUE COPY OF THE FIR IN CRIME NO.167/2014 OF IRINJALAKUDA POLICE STATION.

EXT.P3(a):TRUE ENGLISH TRANSLATION OF EXT P3.

EXT.P4:TRUE COPY OF THE COMPLAINT DATED 11.12.2014 FILED BY THE PETITIONER BEFORE THE HOME MINISTER OF KERALA.

EXT.P4(a):TRUE ENGLISH TRANSLATION OF EXT P4.

EXT.P5:TRUE COPY OF THE COMPLAINT DATED 23.01.2015 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P5(a):TRUE ENGLISH TRANSLATION OF EXT P5.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.4235 of 2015

Dated this the 26th day of February 2015

J U D G M E N T

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 approached this Court seeking for a direction to the 1st and 2nd respondents to provide adequate and meaningful protection to his life and his family members and also for conducting the civil cases pending against respondents 3 to 5 before the Principal Munsiff's Court, Irinjalakuda as O.S.No.1062 of 2011 and O.S.No.201 of 2012, against the illegal acts of respondents 3 to 5.

3. Petitioner's case is that an interim injunction has already been passed in his favour by the Munsiff and for violation of the injunction order, a petition has already been filed, which is pending. Further, it is submitted that a crime has already been registered against the private respondents as Crime No.167 of 2014.

-: 2 :-

4. Learned Government Pleader submits that the petitioner is residing in another district and he wants to enter into the house with police protection. Learned Government Pleader further submits that whenever the petitioner requested for police protection to attend the court proceedings, the police had provided necessary protection to the petitioner.

5. We are of the view that, since the matter is pending before the civil court, if so advised, the petitioner shall seek appropriate relief from the civil court.

In the above view of the matter, we see no reason to entertain the writ petition as a police protection matter or issue any direction as sought for. Hence, the writ petition is closed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE