

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 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 4775 of 2015 (V)

PETITIONERS:

**V.VIJAYARAJAN AGED 63 YEARS
S/O LATE VELAYUDHAN, VASAVA SADANAM, KANDACHIRA
PANAYAM VILLAGE, KOLLAM DISTRICT.**

**BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA**

RESPONDENTS:

- 1. THE CITY POLICE COMMISSIONER,
KOLLAM-691001.**
- 2. SUB INSPECTOR OF POLICE
KILIKOLLOOR, KOLLAM-691004.**
- 3. DINSHA @ DILSHA
RAMANEEKAM, KANDACHIRA, PERINADU P.O.
KOLLAM-691601.**

BY SENIOR GOVERNMENT PLEADER SRI. C.R. SYANKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT P1 : THE COPY OF THE JUDGMENT PASSED BY THE ADDL. MUNSIFF COURT, KOLLAM IN O.S.NO.702/2002 DATED 2.11.2002.**
- EXHIBIT P2 : THE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 12.2.2015.
EXHIBIT P2(A): THE EGNLISH TRANSLATION OF EXT.P2.**
- EXHIBIT P2(a) : THE ENGLISH TRANSLATION OF EXT.P2**

RESPONDENTS' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

ASHOK BHUSHAN, Ag. C.J.

&

A.M. SHAFFIQUE, J

W.P.(C) No. 4775 of 2015

Dated this the 20th day of February, 2015

J U D G M E N T

Ashok Bhushan, Ag.C.J.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader.

2. This Writ Petition has been filed by the petitioner seeking a direction to respondents 1 and 2 to afford adequate and effective police protection to conduct the hotel in the light of Ext.P1 order.

3. The petitioner's case is that the petitioner is conducting a hotel business in the suit property and there is an order in favour of the petitioner by the Civil Court in O.S. No.702/2002 dated 2.11.2002. It is submitted that the 3rd respondent has purchased the shop property and he is threatening to evict the petitioner and in spite of a

compliant filed, no action has been taken by the Police.

4. The learned Government Pleader, after obtaining instructions, submitted that there has been altercation between the petitioner and the 3rd respondent and on a complaint submitted by the petitioner, Crime No.271/2015 has been registered against the 3rd respondent, whereas on a complaint filed by the 3rd respondent, Crime No.276/2015 has been registered against the petitioner and both the crimes are under investigation.

5. Insofar as the petitioner's right to continue his business in the property and the order passed by the Civil Court are concerned, no issue can be entertained in the Writ Petition.

6. The learned Government Pleader submits that there is no other issue except the altercation which took place between the parties. Learned Government Pleader further submits that Police shall ensure that law and order is

maintained. In the above view of the matter, we do not find that any further direction need be issued.

This Writ Petition is closed with the above observation.

Sd/-
ASHOK BHUSHAN,
ACTING CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.

jjj