

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 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C) .No. 4784 of 2015 (W)

PETITIONER(S) :-

S.K.JAYACHANDRAN, SHEEJA NIVAS, MAMPAZHAKKARA,
PERUMPAZHATHUR P.O., NEYYATTINKARA.

BY ADV. SRI.T.RAVIKUMAR

RESPONDENT(S) :-

1. THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM RURAL, PIN - 695 001.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
NEYYATTINKARA - 691 120.
3. THE CIRCLE INSPECTOR OF POLICE,
NEYYATTINKARA - 691 120.
4. SREE NARAYANA DHARMA SANGHAM TRUST,
ARUVIPPURAM TEMPLE AND MUTT BRANCH, PIN - 695 110
REP. BY THE BRANCH SECRETARY

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

Petitioner's Exhibits :-

Ext.P1 :- True copy of the notice dated 15.1.2015.

Respondent's Exhibits :- NIL.

//True Copy//

P.A. to Judge

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

W.P.(C) No.4784 of 2015

Dated this the 13th day of February 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

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

2. This writ petition has been filed by the petitioner claiming to be a writ petition for police protection and seeking the following reliefs :-

- “(i) to direct the respondents to permit the petitioner and other member of the public to participate in the Aruvippuram Festival at least for the last 4 days in the light of direction of Sree Narayana Guru in the year 1988, and
- (ii) to direct the 4th respondent not to interfere with the conduct of festivities by the petitioner and the other member of the public.”

3. The learned Government Pleader is right in his submission that the prayers in the writ petition cannot be entertained in a writ proceeding nor the writ petition can be entertained as a police protection matter. For the relief claimed in the writ petition, issues have to be adjudicated and evidence taken, which cannot be done in this proceeding under Article 226 of the Constitution of India.

-: 2 :-

Reserving the right of the petitioner to seek appropriate remedy before the appropriate civil court, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt