

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 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 4794 of 2015 (Y)

PETITIONER(S) :-

RASHEED C.
THOLLIYANI KARAYIL HOUSE, ANAPPARA
PATHANAMTHITTA -689645.

BY ADVS.SRI.P.VIJAYAKUMAR
SRI.C.R.REGHUNATHAN
SRI.M.V.ASHIM
SRI.R.BALAKRISHNAN
SRI.B.HARRYLAL
SRI.SUVIN.R.MENON

RESPONDENT(S) :-

1. STATE OF KERALA
REPRESENTED BY HOME SECRETARY
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. SUPERINTENDENT OF POLICE,
PATHANAMTHITTA - 689 645.
3. STATION HOUSE OFFICER,
PATHANAMTHITTA POLICE STATION
PATHANAMTHITTA - 689 645.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT-P1-TRUE COPY OF THE STANDING DISABILITY ASSESSMENT BOARD
CERTIFICATE ISSUED TO THE PETITIONER.

EXHIBIT-P2-TRUE COPY OF THE CERTIFICATE OF JUSTICE K.P. RADHAKRISHNA MENON
AWARD PRESENTED TO THE PETITIONER.

EXHIBIT-P2(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P2.

EXHIBIT-P3-TRUE COPY OF THE COMPLAINT FILED BEFORE THE S.H.O.,
PATHANAMTHITTA POLICE STATION ON 28/04/2014.

EXHIBIT-P3(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P3.

EXHIBIT-P4-TRUE COPY OF THE MALAYALA MANORAMA NEWS PAPER DATED 01/05/2014.

EXHIBIT-P4(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P4.

EXHIBIT-P5-TRUE COPY OF THE KERALA KAUMUDI DATED 01/05/2014.

EXHIBIT-P5(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P5.

EXHIBIT-P6-TRUE COPY OF THE COMPLAINT FILED BEFORE THE S.H.O.,
PATHANAMTHITTA POLICE STATION ON 01/05/2014.

EXHIBIT-P6(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P6.

EXHIBIT-P7-TRUE COPY OF THE COMPLAINT FILED BEFORE THE S.H.O, PATHANAMHITTA
POLICE STATION DATED 10/05/2014.

EXHIBIT-P7(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P7.

EXHIBIT-P8-TRUE COPY OF THE MATHRUBHUMI NEWSPAPER DATED 06/11/2014.

EXHIBIT-P8(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P8.

EXHIBIT-P9-TRUE COPY OF THE KERALA KAUMUDI NEWSPAPER DATED 10/11/2014.

EXHIBIT-P9(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P9.

EXHIBIT-P10-TRUE COPY OF THE COMPLAINT FILED BEFORE THE S.H.O,
PATHANAMTHITTA POLICE STATION DATED 08/01/2015.

EXHIBIT-P10(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P10.

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EXHIBIT-P11-TRUE COPY OF THE PETITION FILED BEFORE THE SUPERINTENDENT OF
POLICE, PATHANAMTHITTA DISTRICT.

EXHIBIT-P11(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P11.

EXHIBIT-P12-TRUE COPY OF THE RECEIPT OF EXHIBIT-P11 PETITION.

EXHIBIT-P12(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-P12.

EXHIBIT-P13-TRUE COPY OF THE COMPLAINT FILED BEFORE THE S.H.O., PANDALAM
POLICE STATION ON 19/01/2015.

EXHIBIT-P13(a)-TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT-13.

EXHIBIT-P14-TRUE COPY OF THE CIRCULAR NO.69090/CDN.5/2010/GAD DATED
14/10/2010 ISSUED BY THE GOVERNMENT OF KERALA.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.4794 of 2015

Dated this the 23rd 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 a physically handicapped person, who claims to be having 90% permanent disability, seeking for a direction to the 2nd and 3rd respondents to provide adequate police protection and security to the petitioner.

3. The petitioner submits that he is the State Vice President of RTI Federation and on account of him submitting applications under the Right To Information Act, a large number of persons are against him and he has received many phone calls of abuse and life threatening. It is submitted that he was also attacked on 17.1.2015, with regard to which a complaint has also been filed.

4. Learned Government Pleader was allowed time to obtain instructions. He, after obtaining instructions, would submit that on 17.1.2015, there was a quarrel between the petitioner and

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petitioner's first cousin, due to which, a crime has already been registered. It is submitted that the petitioner, being a 90% physically handicapped person, who is almost stationed at a wheel chair, there is no threat to his life.

5. Be that as it may, looking into the grievance raised by the petitioner, we are of the view that the police shall keep a vigil and if there is any offence being committed or attempt to commit offence, on the complaint of the petitioner, the police shall look into the matter and do the needful in accordance with law.

With this observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE