

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 5746 of 2015 (P)

PETITIONERS :

1. SARALA SUDHAKARAN, AGED 60 YEARS
W/O.LATE SUDHAKARAN, RESIDING AT SWAPNA BHAVAN
BHARANIKKAVU, PUNALUR P.O., KOLLAM.
2. BHAVANI, AGED 88 YEARS
W/O.CHELLAPPAN, SWAPNA BHAVAN, BHARANIKKAVU
PUNALUR P.O., KOLLAM.

BY ADVS.SRI.THOMAS ABRAHAM
SMT.MERCIAMMA MATHEW
SRI.V.RENJITH KUMAR
SRI.ASWIN.P.JOHN

RESPONDENTS :

1. DIRECTOR GENERAL OF POLICE,
KERALA STATE, POLICE HEADQUARTERS
TRIVANDRUM - 695 001.
2. SUPERINTENDENT OF POLICE (RURAL),
KOTTARAKKARA, KOLLAM - 691 506.
3. DEPUTY SUPERINTENDENT OF POLICE,
PUNALUR, KOLLAM - 691 305.
4. CIRCLE INSPECTOR OF POLICE,
PUNALUR, KOLLAM - 691 305.
5. SUB INSPECTOR OF POLICE,
PUNALUR POLICE STATION, KOLLAM - 691 305.
6. PRASANTHAKUMARI,
'PRASANTHI', PRAKRUTHI PARK, PAANDAPPARA MURI
PAANDAPPARA P.O., SREEKARIYAM VILLAGE
THIRUVANANTHAPURAM - 695 017.

7. SATHEESH BABU,
NEETHUS NIVAS, PANANGATTU, VAALAKKODU MURI
VAALAKKODU P.O., KOLLAM - 691 331.

8. SHAJI K.J.,
KALLUVILA VEEDU, MYLAYAKKAL, THAAZHEKADAVAATHUKKAL
PLACHERI P.O., KOLLAM - 691 331.

R1 TO R5 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 5746 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1. THE TRUE COPY OF THE FIR IN CRIME NO.996 OF 2014 OF PUNALUR
POLICE STATION.

EXHIBIT P2. THE TRUE COPY OF THE POST-MORTEM CERTIFICATE REVEALING THE
INJURIES SUFFERED BY THE 1ST PETITIONER'S HUSBAND.

EXHIBIT P3. THE TRUE COPY OF THE CHEMICAL ANALYSIS CERTIFICATE.

EXHIBIT P4. THE TRUE COPY OF THE REPRESENTATION DATED 10.02.2015
SUBMITTED BY THE PETITIONERS BEFORE THE RESPONDENTS 1 TO 5.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 5746 OF 2015

Dated this the 4th day of March, 2015

JUDGMENT

Ashok Bhushan, Ag.C.J.

Heard learned counsel for the petitioners and learned Government Pleader. No notice is being issued to respondent Nos. 6 to 8 in view of the order which is being passed.

2. Petitioners have filed this writ petition seeking a direction to respondents 1 to 5 to ensure sufficient, effective and meaningful protection to the life and property of the petitioners. Petitioners' case is that 2nd petitioner is the mother-in-law of the 1st petitioner and suffering from old aged ailments. It is submitted that the husband of 2nd petitioner died in a mysterious circumstance with regard to which Crime No.996 of 2014 is registered and pending investigation. Allegations have been made against

respondent Nos.6 to 8. Petitioners' case is that the private respondents have trespassed into the petitioners' compound during odd hours in the night which incident was reported to the police and a representation, Ext.P4, was also submitted on 10.02.2015. But no action has been taken in the matter.

3. Learned Government Pleader after obtaining instructions submitted that with regard to the death of 2nd petitioner's husband, a crime has already been registered which is under investigation. In so far as the petitioners' representation is concerned, it is submitted that enquiry was made and no materials were obtained to substantiate the case that private respondents have trespassed into the compound of petitioners. He, however, submits that in the event if any offence is committed or there is any attempt to commit offence, it is always open for the petitioners to file a complaint before the 5th respondent who shall look into the same and take appropriate action.

WP(C) No. 5746 of 2015

-:3:-

Recording the aforesaid submission of learned Government Pleader, we close the Writ Petition.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**

ttb/05/03