

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. 6158 of 2015 (T)

PETITIONER :

VINCENT, S/O.VARGHESE NADAR,
ANIL BHAVAN, POOVANKUZHI,
ARADIKKARA, VELLARADA,
THIRUVANANTHAPURAM.

BY ADV. SMT.B.L.RENJU

RESPONDENTS :

1. THE DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM DISTRICT,
THIRUVANANTHAPURAM - 695 001.
2. THE CIRCLE INSPECTOR OF POLICE, VELLARDA,
THIRUVANANTHAPURAM DISTRICT.
3. THE SUB INSPECTOR OF POLICE, VELLARDA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.
4. ANIL, AGED 45 YEARS, S/O.THANKAN, VELLAR PUTHENVEEDU,
VELLARADA VILAGE, THIRUVANANTHAPURAM DISTRICT.
5. RAJU, AGED 39 YEARS, VELLAR PUTHENVEEDU, VELLARADA,
THIRUVANANTHAPURAM DISTRICT.
6. RAJMOHAN, AGED 49 YEARS, S/O.MOHANDAS, ANAPPARA PUTHEN
VEEDU, VELLARADA, THIRUVANANTHAPURAM DISTRICT.

R1 TO R3 BY STATE ATTORNEY, SRI. P. VIJAYARAGHAVAN.

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

WP(C).No. 6158 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE JUDGMENT DATED 28.06.2011 OF THE HON'BLE
ADDITIONAL MUNSIFF COURT II, NEYYATTINKARA IN OS NO.887/2010.

EXT.P2 : TRUE COPY OF THE FIR IN CRIME NO.49/2015 OF VELLARADA POLICE
STATION AND THE COMPLAINT ALONG WITH ITS ENGLISH TRANSLATION.

EXT.P3 : TRUE COPY OF THE COMPLAINT DATED 12.02.2015 SENT BY THE
PETITIONER TO THE 2ND RESPONDENT ALONG WITH ITS ENGLISH
TRANSLATION AND POSTAL ACKNOWLEDGEMENT.

RESPONDENTS' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P(C).No.6158 of 2015

Dated this the 26th February, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking police protection. It is contended that respondents 4 to 6 have obstructed the petitioner when attempts were made to construct a boundary wall. The petitioner filed O.S.No.887 of 2010 before the Munsiff's Court, Neyyattinkara and a decree was passed in the suit restraining the defendants from trespassing into the plaint schedule property, from destroying the boundaries and cutting open a new pathway by including the portions of the plaint schedule property and committing any waste. After the decree had been passed, respondents 4 to 6 have threatened the petitioner that if he attempts to execute the decree, entire family members of the petitioner will be destroyed. Though on the complaint of the petitioner a

crime had been registered, no further action was taken by the Police in the matter. Under fear of life of the petitioner and his family members, the petitioner filed Exhibit P3 complaint before the second respondent, but no further action was taken by the Police, hence the petitioner has approached this Court.

2. The learned State Attorney, on instruction, would submit that pursuant to the crime being registered, the same has been charge sheeted, which is pending consideration before the Judicial Magistrate of First Class.

3. As far as the incident reported as per Exhibit P3 is concerned, it was stated that when some posters were affixed by the private respondents, the Police had summoned them and they were informed not to indulge in such activities. It was also stated that the Police are keeping a constant vigil on the activities of the private respondents and the same shall be continued.

4. Under such circumstances, we do not think that a direction as sought is required to be passed. However, we

record the submission of the learned State Attorney that the Police shall keep a constant vigil on the activities of the private respondents and ensure that the law and order is maintained in the area.

The Writ Petition is disposed of as above.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs26/2/15