

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 10108 of 2012 (K)

PETITIONER :

**CHANDRASEKHARAN PILLAI
S/O. RAGHAVAN UNNITHAN, PERUMPALLI THEKKATHIL VEEDU
ADINADU THEKKUMMURI, ADINADU VILLAGE, KARUNAGAPPALLY
KOLLAM.**

**BY ADVS.SRI.K.SIJU
SRI.S.ABHILASH
SMT.BINDU GEORGE**

RESPONDENT(S) :

- 1. STATE OF KERALA
RERPESENTED BY ITS SECRETARY
DEPARTMENT OF HOME AFFAIRS
THIRUVANANTHAPURAM-695001.**
- 2. THE CITY POLICE COMMISSIONER
KOLLAM CITY, KOLLAM-691001.**
- 3. DEPUTY SUPERINTENDENT OF POLICE
KARUNAGAPPALLY, KOLLAM-690544.**
- 4. SUB INSPECTOR OF POLICE
KARUNAGAPPALLY-690544.**
- 5. RAMACHANDRAN PILLAI,
S/O. NEELAKANDAN PILLAI, PUTHEN VEEDU
ADINADU THEKKUM MURI, ADINAD VILLAGE, KARUNAGAPPALLY
KOLLAM-690542.**

6. SREE KUMAR,
S/O. NARAYANAN PILLAI, PUTHEN VEEDU
ADINADU THEKKUM MURI, ADINAD VILLAGE, KARUNAGAPPALLY
KOLLAM-690542.

7. ANIL KUMAR
S/O. GOPALAKRISHNA PILLAI, MAMPARA VEEDU
NOW RESIDING AT ANANTHAPURI HOUSE
ADINADU THEKKU MURI, ADINADU VILLAGE
KATTILKADAVU P.O., KARUANAGAPPALLY-690542.

R1 TO R4 BY SR. GOVT. PLEADER SRI. P.I. DAVIS
R5 TO R7 BY ADV. SRI.J.OM PRAKASH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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...3/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1 A TRUE COPY OF THE INJUNCTION ORDER IN I.A. NO. 1256/2010 IN
O.S. NO. 323/2010 OF MUNSIF COURT, KARUNAGAPPALLY DATED
22-9-2010.
- EXT.P2 A TRUE COPY OF THE COMPLAINT FORWARDED BY THE TAHSILDAR,
KARUNAGAPPALLY REGARDING A PETITION RECEIVED BY HIM FROM
VILLAGE OFFICER, ALAPPAD DATED 5-4-2010.
- EXT.P3 A TRUE COPY OF THE FINAL REPORT IN CRIME NO. 65/2011 OF
KARUNAGAPPALLY POLICE STATION.
- EXT.P4 A TRUE COPY OF THE PETITION ALONG WITH POSTAL RECEIPT
DATED 26-2-2012.
- EXT.P5 THE TRUE COPY OF RECEIPT SHOWING THE RECEIPT OF COMPLAINT
FROM THE PETITIONER BY THE 3RD RESPONDENT DATED 24-10-2010.
- EXT.P5(a) THE COPY OF THE RECEIPTS SHOWING THE RECEIPT OF COMPLAINT
FROM THE PETITIONER BY THE 3RD RESPONDENT DATED 24-12-2010.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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ASHOK BHUSHAN, C.J. & K.RAMAKRISHNAN, J.

W.P.(C) No. 10108 OF 2012

Dated this the 15th day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

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

2. By this writ petition the petitioner has prayed for police protection seeking a direction to respondents 2 to 4 to afford adequate and effective police protection to the life and property of the petitioner and his family members and peaceful usage of the pathway leading to his house without any obstruction from respondents 5 to 7. A civil suit, being O.S. No.323 of 2010 has already been filed by the petitioner in the Munsiff's Court wherein an injunction order has been passed on 22.09.2010.

3. With regard to the incident as claimed in the writ petition, the Senior Government Pleader submits that crime has been registered and police has already charge sheeted the accused. The final report filed by the investigating officer is produced as Ext.P3.

4. In view of the above, as the petitioner has already approached the Civil Court, it is open for the petitioner to obtain such relief including the enforcement of the order from the civil court.

With this observation the writ petition is closed.

**Ashok Bhushan,
Chief Justice.**

**K. Ramakrishnan,
Judge.**