

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 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

WP(C).No. 6950 of 2015 (P)

PETITIONER(S) :

MARIYAMMA MAMMEN, W/O. MAMMEN, AGED 81 YEARS
ST. GEORGE ESTATE HILL VIEW BANGALOW,
RESIDING AT PLOTNO.G. 216, PADAMUGAL,
KAKKANAD P.O. ERNAKULAM - 682 030

BY ADV. SRI.ABRAHAM JOHN

RESPONDENT(S) :

1. THE SUB INSEPCTOR OF POLICE,
THRIKKAKARA, ERNAKULAM
2. SAJI VARGHESE, S/O. VARGHESE,
KUNNEAL HOUSE, MYTHRI ROAD,
PADAMUGAL, KAKKANAD
3. R. RAJESH PILLAI, NIKUNJAM,
MYTHRI ROAD, PADAMUGAL, KAKKANAD
4. STEPHEN, S/O. NOT KNOWN,
C/O.SAJI VARGHESE, KUNNEAL HOUSE,
MYTHRI ROAD, PADAMUGAL, KAKKANAD

BY GOVERNMENT PLEADER C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 05-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE POSSESSION
CERTIFICATE ISSUED BY THE VIALLEGE OFFICE
VAZHAKKALA DATED 12-12-2014

EXT.P2: PLAN FOR CONSTRUCTION OF THE
COMPOUND WALL APPROVED AND GIVEN TO THE
PETITIONER

EXT.P3: THE PERMIT OF THE CONSTRUCTION OF THE
COMPOUND WALL ISSUED BY THE THRIKKAKARA
MUNICIPALITY UNDER THE KERALA MUNICIPALITY
BUILDING RULES DATED 11-2-2015

EXT.P4: TRUE COPY OF THE COMPLAINT GIVEN BY
THE PETITIONER TO THE 1ST RESPONDENT

EXT.P5: COPY OF THE RECEIPT DATED 14-2-
2015 ISSUED BY THE 1ST RESPONDENT TO THE
PETITIONER

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

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W.P.C. No. 6950 of 2015
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Dated this the 5th day of March, 2015

JUDGMENT

Shaffique, J.

Petitioner has approached this Court seeking police protection. According to her, she had obtained a valid permit and license from the Municipality to reconstruct the compound wall in respect of her property having an extent of 7.2 Ares comprised in Sy. Nos. 81/8 and 299/3 of Vazhakkala Village. When she and her workers have gone to the site for preparing the property for reconstruction of the compound wall, respondents 2 to 4 obstructed the same. According to the petitioner, respondents 2 to 4 does not share any boundary and they cannot raise any dispute. Their claim is that petitioner should leave more area for widening the road.

2. Learned Government Pleader on instructions, submitted that on receipt of the complaint from the petitioner, parties were summoned and they were asked not to make any obstruction for construction of compound wall on the basis of the valid permit issued by the local authority.

3. Having regard to the aforesaid submission, we are of the view that this Writ Petition can be disposed of without notice to respondents 2 to 4. If any obstruction is caused by any person in the matter relating to the construction of the compound wall, the first respondent shall ensure that law and order is maintained.

With the above observation, this Writ Petition is disposed of.

Sd/-ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,
JUDGE

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