

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. 7064 of 2015 (G)

PETITIONER(S) :

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1. BABY VATTAKUNNEL, S/O. PAULOSE,
AGED 51, VATTAKUNNEL HOUSE, EAST MARADY P.,O, .
MUVATTUPUZHA - 686 673
 2. MAYA BABY, W/O. BABY VATTAKUNNEL.
VATTAKUNNEL HOUSE, EAST MARADY P.O.
MUVATTUPUZHA - 686 673

BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENT(S) :

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1. T.K. ELDHOSE, S/O.KURIAKOSE,
THOMPRAYIL HOUSE, KOTHAMANGALAM P.O.
ERNAKULAM DISTRICT - 686 653
 2. JOBY ALIAS, S/O. ELIYAS,
MANNUMPARAMBIL HOUSE, MOOKANOOR P.O.
ANGAMALY, ERNAKULAM DISTRICT 686 573
 3. DAYAL ABRAHAM, S/O. ABRAHAM,
THOMPRAYIL HOUSE, KUTTUMPUZHA P.O.
KOTHAMANGALAM, ERNAKULAM DISTRICT - 686 653
 4. THE SECRETARY TO HOME AFFAIRS,
SECRETARIAT, TRIVANDRUM - 695 001
 5. THE STATE POLICE CHIEF, VELLAYAMBALAM,
TRIVANDRUM - 695 005
 6. THE DISTRICT POLICE CHIEF (RURAL)
ALWAYE - 683 101
 7. THE DEPUTY SUPERINTENDENT OF POLICE,
MUVATTUPUZHA - 683 510

8. THE CIRCLE INSPECTOR OF POLICE,
PIRAVOM - 683 515
9. THE CIRCLE INSPECTOR OF POLICE,
MUVATTUPUZHA - 683 510
10. THE SUB INSPECTOR OF POLICE
MUVATTUPUZHA - 683 510
11. THE SUB INSPECTOR OF POLICE,
PIRAVOM - 683 515

BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN

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

APPENDIX

PETYITIONERS' EXTS:

EXT.P1: TRUE COPY OF THE CANCELLATION OF
THE LICENCE ISSUED BY THE PETITIONERS TO
RESPONDENTS 1 TO 3 DATED 5-2-2015

EXT.P2: TRUE COPY OF THE COVER RETURNED
TO THE PETITIONERS' COUNSEL

EXT.P3: TRUE COPY OF THE PETITION FILED
BY THE PETITIONERS DATED 12-2-2015
SEEKING POLICE PROTECTION

EXT.P4: TRUE COPY OF THE P ETITION FILED
BY THE PETITIONERS BEFORE RESPONDENTS 4
TO 11 DATED 18-2-2015

EXT.P5: TRUE COPY OF THE PETITION FILED
BY THE PETITIOENRS BEFORE RESPONDENTS 4
TO 11 DATED 25-2-2015

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

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W.P.C. No. 7064 of 2015 – G
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Dated this the 5th day of March, 2015

JUDGMENT

Shaffique, J.

Petitioners are farmers. They are running a farm which comprised of a diary farm, poultry, fish farm and other accessories. The farm is having an area of 1.62 acres. According to them, respondents 1 to 3, who are certain persons in the said locality, have trespassed into their property and threatened that they will be put to dire consequence. One of them is even an accused in an offence under Section 302 of Indian Penal Code. Petitioners apprehend threat and danger to their life and also apprehend that their farm will be destroyed.

2. The learned State Attorney, on instructions, submits that based on the complaint of the petitioners enquiry was conducted.

The petitioners were also summoned to the Police Station for recording their statements in that regard.

3. Having regard to the nature of averments in the Writ Petition and after hearing the learned counsel for the petitioners as well as the learned State Attorney, we do not think that it is necessary to issue notice to respondents 1 to 3.

4. Having regard to the contentions urged in the Writ Petition and the instructions obtained by the State Attorney, we direct respondents 10 and 11 to keep a constant vigil on the activities of respondents 1 to 3 and ensure that no untoward incident occurs in the life of the petitioners and their farm.

Accordingly, this Writ Petition is disposed of.

Sd/-ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,
JUDGE

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