

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

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

WP(C) .No. 7154 of 2015 (T)

PETITIONER(S) :

1. RAJAN.S, S/O.SHANMUGHOM CHETTIAR, AGED 46 YEARS
'SHIVADEEPAM' SUWARNA NAGAR STREET
KULAPPADA P.O. ARYANAD, NEDUMANGAD TALUK
THIRUVANANTHAPURAM

2. USHAKUMARI, W/O.RAJAM S., AGED 41 YEARS,
'SHIVADEEPAM' SUWARNA NAGAR STREET
KULAPPADA P.O. ARYANAD, NEDUMANGAD TALUK
THIRUVANANTHAPURAM

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENT(S) :

1. STATE OF KERALA REPRESENTED BY SECRETARY.
HOME DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM- 695001.

2. DISTRICT SUPERINTENDENT OF POLICE (RURAL)
THIRUVANANTHAPURAM 695001.

3. THE CIRCLE INSPECTOR OF POLICE, ,
ARYANADU POLICE STATION, ARYANADU
THIRUVANANTHAPURAM 695286

4. THE SUB INSPECTOR OF POLICE,
ARYANADU POLICE STATION, ARYANADU
THIRUVANANTHAPURAM 695286.

5. ASOKAN, ANANDU BHAVAN, SUWARNA NAGAR STREET,
KULAPPADA P.O., ARYANAD NEDUMANGAD TALUK
THIRUVANANTHAPURAM 695284.

6. DEVAN, ANANDU BHAVAN ,
SUWARNA NAGAR STREET, KULAPPADA P.O., ARYANAD
NEDUMANGAD TALUK, THIRUVANANTHAPURAM 695284.

7. AYYAPPAN CHETTIAR, REJITHA VILASOM,
KULAPPADA P.O., ARYANAD NEDUMANGAD TALUK
THIRUVANANTHAPURAM 695284.

8. SUKUMARAN CHETTIYAR, LAL NIVAS,
ARYANKAVU DEPOT JUNCTION, ARYANKAVU
THIRUVANANTHAPURAM 695284.

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 7154 of 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 TRUE PHOTOCOPY OF RECEIPT DATED 5.8.2013 ISSUED BY 4TH RESPONDENT.

EXT.P1(A) TRUE ENGLISH TRANSLATION OF EXHIBIT P1.

EXT.P2 TRUE PHOTOCOPY OF APPLICATION DATED 20.6.2014 FOR FIXATION OF BOUNDARY GIVEN BY PETITIONERS TO THE TALUK SURVEYOR.

EXT.P2(A) TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

EXT.P3 TRUE PHOTOCOPY OF REPORT DATED 25.6.2014 OF TALUK SURVEYOR, NEDUMANGAD.

EXT.P3(A) TRUE ENGLISH TRANSLATION OF EXHIBIT P3.

EXT.P4 TRUE PHOTOCOPY OF F.I.R IN CRIME NO. 752/2014 REGISTERED BY 4TH RESPONDENT

EXT.P4(A) TRUE ENGLISH TRANSLATION OF EXHIBIT P4.

EXT.P5 TRUE PHOTOCOPY OF REPRESENTATION DATED 3.11.2014 SUBMITTED BY PETITIONERS BEFORE 2ND RESPONDENT.

EXT.P5(A) TRUE ENGLISH TRANSLATION OF EXHIBIT P5.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No.7154 of 2015

Dated this the 10th March, 2015

JUDGMENT

Ashok Bhushan, Ag, CJ.

Heard learned counsel for the petitioners and the learned Government Pleader. No notice is being issued to respondents 5 to 8, in view of the order, which is being passed.

2. The petitioners by this Writ Petition seek a direction to respondents 2 to 4 to provide adequate protection against the acts of respondents 5 to 8 for entering into their property and a further direction has been sought to protect the life of the petitioners and the officials of the Survey Department for fixing boundary and put up a boundary wall.

3. The learned Government Pleader, on instruction, submitted that on a complaint submitted by the Taluk Surveyor, FIR 752/14 has already been registered against

the private respondents and they have been charge sheeted. The petitioner has submitted a complaint stating that survey stones be refixed and protection be provided.

In so far as the prayer of the petitioners to fix survey stone, the remedy available is to approach the revenue authorities, who may take appropriate steps. The Police authorities shall render adequate protection, if the revenue officials request for police protection. We find that no further orders are necessary in the Writ Petition. The Writ Petition is accordingly closed.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs10/3/15