

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 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No. 7628 of 2015 (C)

PETITIONER(S) :

RAJAN AGED 52 YEARS
S/O.KUNCHANDI, KULAYAKONATHU VILAYIL VEEDU,
PUNNAKKODE, CHENKULAM MURI, POOYAPPALLY VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT.

BY ADVS.SMT.MINI GANGADHARAN
SRI.N.C.SAJUNAM

RESPONDENT(S) /RESPONDENTS :

1. THE CITY POLICE COMMISSIONER
KOLLAM, PIN - 691 001.

2. THE A.C.P
CHATHANNOOR, KOLLAM - 691 572.

3. THE CIRCLE INSPECTOR OF POLICE
PARAVUR, KOLLAM - 691 301.

4. THE SUB INSPECTOR OF POLICE
CHATHANNOOR, KOLLAM - 691 572.

5. RAJU
VATTAVILA VEEDU, KATTACHAL, ADICHANALLOOR VILLAGE
KOLLAM - 691 001.

6. ANIL KUMAR
WARD MEMBER, WARD NO. X
ADICHANALLOOR GRAMA PANCHAYATH, KOLLAM - 691 001.

BY GOVERNMENT PLEADER SRI. C.R. SHYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 12-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE PHOTOCOPY OF TAX RECEIPT IN FAVOUR OF THE PETITIONER.

EXT.P1(A): TRUE ENGLISH TRANSLATION OF TAX RECEIPT.

EXT.P2: TRUE PHOTOCOPY OF THE AGREEMENT EXECUTED AND SIGNED BETWEEN RESPONDENTS 5 AND 6 WITH MEMBERS OF NIRMAL SELF HELP COMMITTEE, PONGA P.O., CHAMBAKKULAM.

EXT.P2(A): TRUE ENGLISH TRANSLATION OF THE AGREEMENT EXECUTED AND SIGNED BETWEEN RESPONDENTS 5 AND 6 WITH MEMBERS OF NIRMAL SELF HELP COMMITTEE, CHAMBAKKULAM.

EXT.P3: TRUE PHOTOCOPY OF THE FIR NO. 294/2015 OF CHATHANNOOR POLICE STATION LAUNCHED AGAINST THE RESPONDENTS 5 AND 6 AND OTHERS.

EXT.P3(A): TRUE ENGLISH TRANSLATION OF FIR NO. 294/2015 OF CHATHANNOOR POLICE STATION LAUNCHED AGAINST THE RESPONDENT 5 AND 6 AND OTHERS.

EXT.P4: TRUE PHOTOCOPY OF THE PETITIONER'S PADDY LAND.

EXT.P5: TRUE PHOTOSTAT COPY OF PETITION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT GIVING COPY OF THE SAME TO R1 - R3.

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

.....
W.P. (C) No. 7628 of 2015 – C
.....

Dated this the 12th day of March, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to party respondents in view of the orders being passed.

2. By this Writ Petition, the petitioner has prayed for a direction to respondents 1 to 4 to give adequate and effective police protection to save his property from the illegal and unauthorised efforts from respondents 5 and 6 and to take harvest from his land.

3. Petitioner's case is that he has never given consent to Nirmal Self Help Committee for carrying out the cultivation. Petitioner himself has annexed Ext. P2. Ext. P2 is an agreement executed and signed between the members of Nirmal Self Help

Committee. Petitioner's case is that he will be permitted to reap under police protection.

4. From the materials brought on record, it does appear that there is a dispute regarding the harvest. We are of the view that such issues can be resolved by approaching the competent Civil Court.

In view of the above, no direction can be issued in this Writ Petition. Accordingly, this Writ Petition is closed.

ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

A.M.SHAFFIQUE,
JUDGE

ari/