

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 8255 of 2014 (F)

PETITIONER(S) :-

1. CHELLAPPAN NAIR, 63,
S/O.GOVINDA PILLAI 'KRISHNAPRIYA'
SASTHAVATTOM P O, VEILOOR VILLAGE.
2. CHANDRIKA AMMA, D/O.BHARATHI AMMA, RAVATHI',
SASTHAVATTOM P O., VEILOOR VILLAGE.

BY ADV. SRI.M.SREEKUMAR

RESPONDENT(S) :-

1. STATE OF KERALA REP BY THE SECRETARY, HOME DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001
2. DISTRICT POLICE CHIEF
THIRUVANANTHAPURAM RURAL, KAWDIAR
THIRUVANANTHAPURAM-695004
3. SUB INSPECTOR OF POLICE
MANGALAPURAM POLICE STATION, MANGALAPURAM
THIRUVANANTHAPURAM-695001
4. MADHU, S/O.THANKAPPAN NAIR, 'MULLASSERI', KOTTARAKKARI
VEILOOR VILLAGE-695001
5. UNNIKRISHNAN, S/O.THANKAPPAN NAIR, 'MULLASSERI',
KOTTARAKKARI, VEILOOR VILLAGE-695001
6. ANILKUMAR, S/O.THANKAPPAN NAIR, 'MULLASSERI',
KOTTARAKKARI, VEILOOR VILLAGE-695001
7. RAJENDRAN NAIR, S/O.BHASKARA PILLAI, 'KOCHUKOTTARAM',
KOTTARAKKARI, VEILOOR VILLAGE-695001
8. JAGATHAPPAN NAIR, S/O.GOVINDA PILLAI, 'KUNNATHU VEEDU',
VEILOOR VILLAGE.
9. BHUVANACHANDRAN NAIR, S/O.KUNJUKRISHNA PILLAI
'KOCHAPPAT VEEDU', VEILOOR VILLAGE-695001

R1-R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R4,R5,R7,R8 & R9 BY ADV. SRI.J.JAYAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1:-TRUE COPY OF FIR NO 121/2011 OF MANGALAPURAM POLICE STATION DTD 23/2/2011.

EXT.P1(a):-TRUE COPY OF ENGLISH TRANSLATION OF EXT P1.

EXT.P2:-TRUE COPY OF PLAINT IN OS NO 113/2011 FILED BEFORE MUNSIF COURT, ATTINGAL BY PETITIONERS ALONG WITH WIFE OF IST PETITIONER DTD 26/2/2011 ALONG WITH ENGLISH TRANSLATION.

EXT.P3:-TRUE COPY OF THE ORDER IN IA NO 634/2011 IN OS NO 113/2011 OF THE MUNSIF COURT, ATTINGAL DTD 28/2/2011.

EXT.P4:-TRUE COPY OF THE PETITION FILED BY THE IST PETITIONER BEFOR THE 2ND RESPONDENT DTD 4/2/2014.

EXT.P4(a):-TRUE COPY OF THE ENGLISH TRANSLATION OF EXT P4.

EXT.P5:-TRUE COPY OF THE IA NO 651/2014 IN OS NO 113/2011 FILED BY PETITIONERS ALONG WITH WIFE OF IST PETITIONER BEFORE THE MUNSIF COURT, ATTINGAL DTD 25/2/2014.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A.TO JUDGE

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.8255 of 2014

Dated this the 20th day of November 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court seeking for police protection alleging that respondents 4 to 9 were committing serious acts of violence and are trying to cut open a pathway through the property of the petitioners. The petitioners had already preferred a civil suit and an interim injunction has been granted in this matter. Despite the order of injunction, atrocities continued and therefore, the petitioners have approached this Court.

2. Learned Government Pleader on instructions would submit that the parties were summoned to the police station and they were asked to keep peace.

3. Learned counsel for the petitioners submits that prosecution petition is pending before the civil court and an Advocate Commissioner had already been appointed.

-: 2 :-

4. Be that as it may, if there is any further threat from the private respondents, it shall always be open for the petitioners to approach the police, who shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**