

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&**

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 8603 of 2015 (A)

PETITIONER:

**UMMUKULSU AGED 44 YEARS
W/O.RAFEEK, KAITHAVALAPPIL HOUSE, CHALIYAM
KOZHIKODE**

**BY ADVS.SRI.C.M.KAMMAPPU
SRI.MANSOOR.B.H.**

RESPONDENT(S):

- 1. DIRECTOR GENERAL OF POLICE (LAW & ORDER)
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM 695001**
 - 2. COMMISSIONER OF POLICE
OFFICE OF THE CITY POLICE COMMISSIONER
KOZHIKODE 673001**
 - 3. STATION HOUSE OFFICER
FEROKE POLICE STATION, KOZHIKODE DISTRICT 673002**
 - 4. ASHRAF
S/O.SAIDALI, PUTHAN KADAPURAM, CHALIYAM 673301**
 - 5. SIRAJUDEEN
S/O.MAJEED, CHERIYAKATH, CHALIYAM
KADALUNDI AMSO, PAZHANCHANNUR, KOZHIKODE**
 - 6. CHAIRMAN/SUB COLLECTOR
DISTRICT LEVEL MONITORING COMMITTEE
OFFICER OF THE REVENUE DIVISIONAL OFFICER, KOZHIKODE**
- R1-R3 & 6 BY ADV. STATE ATTORNEY SRI.VIJAYARAGHAVAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-04-2015, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE ORDER DATED 27.01.2015 BEARING NO. TC (1)11325/08(20) ISSUED BY THE SIXTH RESPONDENT

P1(A): ENGLISH TRANSLATION OF EXT P1

P2: A TRUE COPY OF THE LATEST COMPLAINT DATED 23.02.2015 SUBMITTED BY THE PETITIONER BEFORE THE THIRD RESPONDENT

P3:A TRUE COPY OF THE ORDER DATED 28.02.2014 BEARING NO. C 3814/2014 ISSUED BY THE SIXTH RESPONDENT TO THE THIRD RESPONDENT

P3(A): ENGLISH TRANSLATION OF THE EXT P3

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

P.A.TO JUDGE

JVT

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

W.P.(C) No.8603 of 2015

Dated this the 6th day of April 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection for filling up of her paddy field for constructing a residential building, for which, permission has been granted by the Chairman, District Level Monitoring Committee and Sub Collector, Kozhikode as per order dated 27.1.2015, which is produced as Ext.P1. Though there was obstruction from respondent Nos.4 and 5, the petitioner had approached the Revenue Divisional Officer, who, by Ext.P3 order directed the 3rd respondent to provide sufficient protection in the matter relating to reclamation of land by the petitioner. No action has been taken in the matter, hence, the petitioner has approached this Court.

2. Learned State Attorney on instructions would submit that the private respondents were summoned to the police station and they have undertaken not to create any obstruction to the construction activities in the property of the petitioner.

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3. Though notice was issued to respondents 4 and 5 and service is complete, there is no appearance on behalf of them.

4. Having regard to the aforesaid factual situation, we direct the 3rd respondent to ensure that law and order situation is maintained in the matter relating to filling up of the property having an extent of 5.6 cents by the petitioner as per Ext.P1 permission issued by the Chairman, District Level Monitoring Committee.

This writ petition is disposed of as above.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE