

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 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937

WP(C).No. 11468 of 2013 (G)

PETITIONER(S) :

1. NOUFAL K., AGED 33,
S/O.MOIDEEN, PUZHAKKARA HOUSE,
P.O.MOONNIYOOR SOUTH
MALAPPURAM-676311.
2. JOUHARA
W/O.NOUFAL K., PUZHAKKARA HOUSE,
P.O.MOONNIYOOR SOUTH
MALAPPURAM-676311.
3. BIYUMMA, AGED 58,
W/O.MOIDEEN, PUZHAKKARA HOUSE,
P.O.MOONNIYOOR SOUTH
MALAPPURAM-676311.
4. MOIDEEN, AGED 65,
PUZHAKKARA HOUSE,
P.O. MOONNIYOOR SOUTH
MALAPPURAM-676311.
5. MOHAMED T.,
S/O.KUNJAVA, THIRUTHUMMEL HOUSE,
KOOTTALUNGAL HOUSE
CHELARI, VELIMUKKU, PIN - 676317.

BY ADV. SRI.E.S.ASHRAF

RESPONDENT(S) :

1. THE SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE
MALAPPURAM-676311.
2. THE DEPUTY SUPERINTENDENT OF POLICE
MALAPPURAM-676311.

3. THE SUB INSPECTOR OF POLICE
THIRURANGADI, MALAPPURAM-676311.
4. FAHAD
S/O.MAMMUDU HAJI,
KALLARAKKAL HOUSE, KUNNATHUPARAMBU
P.O.MOONNIYOOR SOUTH, MALAPPURAM-676311.
5. RAUF
S/O.MAMMUDI HAJI,
KALLARAKKAL HOUSE, KUNNATHUPARAMBU
P.O.MOONNIYOOR SOUTH, MALAPPURAM-676311.
6. SAKER
S/O.KOMUKUTTY HAJI, PARAMBIL HOUSE
MOONNIYOOR SOUTH P.O., MALAPPURAM-676311.
7. HAMSA
S/O.NAFEESA, KUTTIYIL HOUSE
KUNNATHU PARAMBA, MOONNIYOOR SOUTH P.O.
MALAPPURAM-676311.
8. MOHAMMED KUTTY P,
PULIKKAL HOUSE, MOONNIYOOR SOUTH P.O.,
MALAPPURAM-676 311.
9. JAMSHEED
S/O.KOMUKUTTY HAJI, PARAMBIL HOUSE
MOONNIYOOR SOUTH P.O., MALAPPURAM-676 311.
10. SHIHAB
S/O.KOMUKUTTY HAJI, PARAMBIL HOUSE
MOONNIYOOR SOUTH P.O., MALAPPURAM-676 311.
11. MUHAMMED SHAFI
S/O.MUHAMED GHOUSE,
KYTHAVALAPPIL HOUSE, THIRUR
MALAPPURAM DISTRICT-676 311.

R1 TO R3 BY SR. GOVT. PLEADER SRI. C.R. SYAMKUMAR
R4 TO R10 BY ADV. SRI.SUNNY MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

...3/-

WP(C).No. 11468 of 2013 (G)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT-P1: TRUE COPY OF THE BUILDING PERMIT ISSUED BY LOCAL AUTHORITY.**
- EXHIBIT-P2: TRUE COPY OF THE COMPLAINT DATED 22.4.2013 BEFORE THE 1ST RESPONDENT.**
- EXHIBIT-P3: TRUE COPY OF THE COMPLAINT DATED 23.4.2013 BEFORE THE 3RD RESPONDENT.**
- EXHIBIT-P4: TRUE COPY OF THE COMPLAINT DATED 24.4.2013 BEFORE THE 1ST RESPONDENT.**
- EXHIBIT-P5: TRUE COPY OF RECEIPT DATED 22.4.2013.**
- EXHIBIT-P6: COPY OF COMPLAINT DATED 2.5.2013.**
- EXHIBIT-P7: COPY OF THE COMPLAINT SUBMITTED BY THE 5TH PETITIONER.**
- EXHIBIT-P8: COPY OF RECEIPT OF THE COMPLAINT ISSUED FROM THE OFFICE OF RESPONDENT NO. 3 DATED 4.5.2013.**

RESPONDENT(S)' EXHIBITS :

- EXHIBIT R4(1) COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE 1ST PETITIONER AND THE 4TH RESPONDENT DATED 12.4.2013.**
- EXHIBIT R4(2) COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE 1ST PETITIONER AND THE 5TH RESPONDENT DATED 12.4.2013.**
- EXHIBIT R4(3) COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE 1ST PETITIONER AND THE 7TH RESPONDENT DATED 12.4.2013.**
- EXHIBIT R4(4) COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE 1ST PETITIONER AND THE 8TH RESPONDENT DATED 12.4.2013.**

//TRUE COPY//

P.A. TO JUDGE

Mn

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

W.P.(C)No.11468 of 2013

Dated this the 30th day of November, 2015.

J U D G M E N T

SHAFFIQUE, J.

This writ petition has been filed by the petitioners seeking police protection, alleging that respondents 4 to 11 were creating obstruction in the matter relating to the construction being undertaken by the petitioners.

2. During the pendency of the writ petition, an interim order has been passed by this Court directing the police to ensure maintenance of law and order.

3. Learned Government Pleader on instruction would submit that during the pendency of the writ petition, no untoward incident has been reported.

Hence we close this writ petition with liberty to the petitioners to approach the police, if any further cause of action arises.

Sd/-
**ASHOK BHUSHAN,
CHIEF JUSTICE.**

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

ami/

//True copy//

P.A. to Judge