

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 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C) .No. 10004 of 2015 (A)

PETITIONER(S) :-

OMANA GEORGE, AGED 59 YEARS, D/O.JOSEPH,
CHAKKANATTU HOUSE, SEWAGE ROAD,
ELAMKULAM, ERNAKULAM.

BY ADV. SRI.DILISH JOHN

RESPONDENT(S) :-

1. SUB INSPECTOR OF POLICE, KADAVANTHRA,
ERANKULAM, PIN - 682 019.
2. GEORGE, AGED 60, S/O.VAKKO,
THERUVIPARAMBIL HOUSE, PUTHUKKALAVATTOM,
ELAMAKKARA, ERNAKULAM, PIN - 682 017.
3. RIJO JOSEPH, AGED 33, S/O.JOSEPH,
CHAKKANATTU HOUSE, SEWAGE ROAD,
ELAMKULAM, ERNAKULAM, PIN - 682 019.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

Petitioner's Exhibits :-

Ext.P1 :- True copy of the order of the Honourable CJM restraining the respondent from making domestic violence in the house.

Ext.P2 :- True copy of the FIR dated 20/01/2015 with FIR No.112/2015.

Ext.P3 :- True copy of the order of CJM restraining other state labours into the house.

Ext.P4 :- True copy of the FIR regarding the article of the petitioner lost from the house.

Respondent's Exhibits :- NIL.

//True Copy//

P.A. to Judge

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

W.P.(C) No.10004 of 2015

Dated this the 27th day of March 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection inter alia contending that though she had obtained orders from the Chief Judicial Magistrate Court, Ernakulam regarding right of residence under the Domestic Violence Act, respondents 2 and 3 are interfering with the right to possess the building in question and causing obstruction in the right of residence by permitting certain other persons to occupy the said building.

2. The petitioner refers to a First Information Statement submitted by her, for which, a crime had been registered by the police and the investigation is pending. Even then, the petitioner submits that the police is not taking appropriate action against respondents 2 and 3.

3. Having regard to the fact that the petitioner had already approached the learned Magistrate and order of right of residence had been obtained, no question of protection arises in

-: 2 :-

this case. If there is any hindrance being caused by respondents 2 and 3 in the matter relating to right of residence, it is for the petitioner to take up the matter before the learned Magistrate.

Under such circumstances, we do not think it necessary to pass any further direction as prayed for in this writ petition. Accordingly, the same is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE