

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

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

**THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937**

**WP(C).No. 11472 of 2015 (H)**  
-----

**PETITIONER :**  
-----

**SUNIL KUMAR,  
KUNNATH HOUSE, PIONEER TOWERS, NO. 501,  
MARINE DRIVE, ERNAKULAM.**

**BY ADV. SRI.SAIBY JOSE KIDANGOOR**

**RESPONDENT(S):**  
-----

- 1. STATE OF KERALA,  
REP. BY ITS SECRETARY, DEPARTMENT OF HOME,  
THIRUVANANTHAPURAM -695 001.**
- 2. THE ASSISTANT COMMISSIONER OF POLICE,  
ERNAKULAM CENTRAL -682 031.**
- 3. THE STATION HOUSE OFFICER,  
KADAVANTHRA POLICE STATION, ERNAKULAM -682 017.**
- 4. SIVANANDAN,  
CHAKKAVALAPPIL HOUSE, ST. SEBASTIAN ROAD,  
VYTTILA P.O., KOCHI - 682 019.**

**R1 TO R3 BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 28-05-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

**sts**

**WP(C).No. 11472 of 2015 (H)**  
-----

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
-----

**EXHIBIT-P1- TRUE COPY OF THE LETTER OF AUTHORIZATION DATED 01/04/2015.**

**EXHIBIT-P2- TRUE COPY OF THE CERTIFICATE DATED 26/06/2014 ALONG WITH  
ENGLISH TRANSLATION.**

**EXHIBIT-P3- TRUE COPY OF THE DEVELOPMENT PERMIT NO. KRP2 360/14 DATED  
19/12/2014.**

**EXHIBIT-P4- TRUE COPY OF THE REPRESENTATION DATED 19/03/2015.**

**RESPONDENT(S)' EXHIBITS: NIL**  
-----

**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

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

**\*\*\*\*\***

**W.P.C.No.11472 of 2015**

-----  
Dated this the 28<sup>th</sup> day of May 2015

**J U D G M E N T**

**Ashok Bhushan, CJ**

Heard learned counsel for the petitioner and the learned Government Pleader.

2. Notice had already been served on the 4<sup>th</sup> respondent, but there is no appearance.

3. This writ petition has been filed seeking a direction to respondents 2 and 3 to provide protection to carry out the development work as per Ext.P3 in the property of 90.067 cents situated in Sy.No.344/2 of Poonithura village, Kanayannur Taluk, Ernakulam. Petitioner's case is that development work is being obstructed by the private respondent with regard to which complaint has been filed. He submits that the 4<sup>th</sup> respondent, without any authority, is demanding money from the petitioner.

4. The learned Government Pleader, after obtaining instructions, submitted that on complaint of the petitioner,

crime has already been registered and police has also visited the spot and as on date, there is no such obstruction. It is further submitted by the learned Government Pleader that as and when obstruction is created by the 4<sup>th</sup> respondent, it shall be open for the petitioner to approach the concerned police station and file a complaint.

5. In that view of the matter, we are of the view that this writ petition need not be entertained. However, we observe that in the event any obstruction is caused by the 4<sup>th</sup> respondent, it is always open for the petitioner to file necessary complaint before the police who shall look into the matter and take appropriate action, in accordance with law.

With this observation, this writ petition is closed.

(sd/-)

**(ASHOK BHUSHAN, CHIEF JUSTICE)**

(sd/-)

**(A.M.SHAFFIQUE, JUDGE)**

jsr





