

IN THE HIGH COURT OF KERALA AT ERNAKULAM

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

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 11478 of 2015 (H)

PETITIONER:

LISHA JOHN, AGED 38 YEARS
W/O. SHAJI JOHN, PAREKKATTU HOUSE,
NAGAMBADOM BHAGOM, PANAYAKKAZHIPPU KARA,
VIJAYAPURAM VILLAGE, KOTTAYAM TALUK,
KOTTAYAM DISTRICT - 686 001.

BY ADV. SRI.K.R.SUNIL

RESPONDENTS:

- 1. THE DEPUTY SUPERINTENDENT OF POLICE,**
KANJIRAPPALLY - 686 507
- 2. THE SUB INSPECTOR OF POLICE,**
KANJIRAPPALLY POLICE STATION, KANJIRAPPALLY 686 507.
- 3. ROY @ A.S. SKARIA, AANITHOTTATHIL HOUSE,**
MALANKOTTA BHAGOM, VIZHIKKATHODU P.O.,
CHENAPPADY KARA, KOOVAPPALLY VILLAGE,
KANJIRAPPALLY TALUK - 686 518
- 4. MOHANAN PILLAI,**
FATHER'S NAME AND AGE NOT KNOWN
AANITHOTTATHIL HOUSE,
MALANKOTTA BHAGOM, VIZHIKKATHODU P.O.,
CHENAPPADY KARA, KOOVAPPALLY VILLAGE,
KANJIRAPPALLY TALUK - 686 518

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE AGREEMENT DATED 17.5.2014 EXECUTED BY THE PETITIONER WITH 3RD RESPONDENT WITH ENGLISH TRANSLATION**
- EXHIBIT P2 : TRUE COPY OF THE COMPLAINT DATED 19.3.2015 BEFORE THE 1ST RESPONDENT WITH ENGLISH TRANSLATION**
- EXHIBIT P3 : TRUE COPY OF THE COMPLAINT DATED 19.3.2015 BEFORE THE 2ND RESPONDENT WITH ENGLISH TRANSLATION.**

RESPONDENT'S EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

JJJ

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

W.P.(C) No. 11478 of 2015 (H)

Dated this the 7th day of April, 2015

J U D G M E N T

A.M.Shaffique, J.

The petitioner has approached this court seeking police protection.

2. It is *inter alia* contended that respondents 3 and 4 has threatened the petitioner. It is alleged that the 3rd respondent was given the right to take latex from the property belonging to the petitioner. The period of contract was over, but the 3rd respondent did not vacate the premises. A suit has already been filed before the Civil Court as O.S. No.61/2015 for evicting the 3rd respondent from the premises. However the 3rd respondent, along with the 4th respondent, is not permitting the petitioner to tap the

rubber trees and they are illegally obstructing her. The petitioner has given Exts. P2 and P3 complaints, for which the Police has not taken any action. Hence, she has approached this Court.

3. With regard to the rights of the petitioner and the 3rd respondent in relation to the agreement, we do not think that this Court should interfere in the matter. If at all the petitioner has any grievance regarding the contractual obligations, it is always open for the petitioner to approach the civil court and pray for appropriate reliefs. Police can interfere only if there is any offence committed or attempt to commit the offence.

4. In such circumstances we are of the view that this Writ Petition can be disposed of as follows:

If any offence is committed or there is any attempt to commit offence, it is open for the petitioner to file a complaint before the police authorities who shall look into the same and take appropriate action.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.

jjj