

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

WP(C).No. 12659 of 2015 (F)

PETITIONER(S) :-

K. THANKAMONY, AGED 50 YEARS
W/O. LATE S.SUDHAKARAN, SREE PARVATHY BUILDING
VISWAMBHARAN ROAD, PAPPANAMKODU, THIRUVANANTHAPURAM

BY ADV. SRI.D.AJITHKUMAR

RESPONDENT(S) :-

1. CIRCLE INSPECTOR OF POLICE
THAMPANOR, THIRUVANANTHAPURAM - 695001.
2. SUB INSPECTOR OF POLICE,
KARAMANA POLICE STATION, THIRUVANANTHAPURAM - 695002.
3. SREMATHY G., W/O. SREEDHARA PANICKER, S.N. NAGAR
INCHIPULLUVILAKOM VEEDU, VISWAMBHARAN ROAD
PAPPANAMCODE, THIRUVANANTHAPURAM - 695018.
4. SOBHANA, D/O. LATE SREEDHARA PANICKER
S.N.NAGAR, INCHIPULLUVILAKOM VEEDU, VISWAMBHARAN ROAD
PAPPANAMCODE, THIRUVANANTHAPURAM - 695018.
5. SUMANGALA, D/O. LATE SREEDHARA PANICKER
S.N. NAGAR, INCHIPULLUVILAKOM VEEDU, VISWAMBHARAN ROAD,
PAPPANAMCODE, THIRUVANANTHAPURAM - 695018.
6. SASIKALA, D/O.LATE SREEDHARA PANICKER, S.N.NAGAR
INCHIPULLUVILAKOM VEEDU, VISWAMBHARAN ROAD
PAPPANAMCODE, THIRUVANANTHAPURAM - 695018.
7. SREEKALA, D/O. LATE SREEDHARA PANICKER, S.N.NAGAR
INCHIPULLUVILAKOM VEEDU, VISWAMBHARAN ROAD
PAPPANAMCODE, THIRUVANANTHAPURAM - 695018.

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8. ASOKAN, S.N.NAGAR, INCHIPULLUVILAKOM VEEDU,
VISWAMBHARAN ROAD, PAPPANAMCODE,
THIRUVANANTHAPURAM - 695018.

9. BALAJI, S.N.NAGAR, INCHIPULLUVILAKOM VEEDU,
VISWAMBHARAN ROAD, PAPPANAMCODE,
THIRUVANANTHAPURAM - 695018.

R1 & R2 BY GOVERNMENT PLEADER SRI.RAMPRASAD UNNI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

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APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1: TRUE COPY OF THE C.M.P NO.8859/2014 BEFORE THE JUDICIAL
FIRST CLASS MAGISTRATE COURT-1, THIRUVANANTHAPURAM.

EXT.P2: TRUE COPY OF THE M.C.NO. 49 OF 2014 IN C.M.P. NO.8859 OF
2014 DATED 14.11.2014.

EXT.P3: TRUE COPY OF THE ORDER IN M.C. NO.49 OF 2014 IN C.M.P.
NO. 8859 OF 2014 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-1,
THIRUVANANTHAPURAM DATED 14.11.2014.

EXT.P4:TRUE COPY OF THE PETITION BEFORE THE 2ND RESPONDENT BY
PETITIONER DATED 5.4.2015 ALONG WITH ITS TRUE ENGLISH
TRANSLATION.

EXT.P5: TRUE COPY OF THE PETITION BEFORE THE 1ST RESPONDENT DATED
6.4.2015 ALONG WITH ITS TRUE ENGLISH TRANSLATION.

EXT.P6: TRUE COPY OF THE RECEIPT OF EXHIBIT P5 PETITION ISSUED BY
THE OFFICE OF THE 1ST RESPONDENT ALONG WITH ITS TRUE ENGLISH
TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.S. TO JUDGE

A.M.SHAFFIQUE & P.V.ASHA, JJ

W.P(C).No.12659 of 2015

Dated this the 28th April, 2015

JUDGMENT

Shaffique, J.

The petitioner has already obtained an order from the Judicial First Class Magistrate Court, Thiruvananthapuram under the Protection of Women From Domestic Violence Act, 2005. It is contended that though the petitioner is residing in the property in which she is entitled to reside, the private respondents are creating obstruction and are threatening the petitioner. Learned counsel for the private respondents submits that the matter had been referred for mediation by the learned Magistrate, which is going on.

2. Whatever that might be, having regard to the fact that the learned Magistrate is seized of the matter, if at all there is any illegal obstruction by the private respondents in the matter relating to residence of the petitioner, it is

always open for the petitioner to approach the learned Magistrate. There is no necessity to issue any direction by this Court.

With the above observation, the Writ Petition is closed.

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

**Sd/-
P.V.ASHA, JUDGE**

vgs28/4/15