

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. 12692 of 2015 (J)

PETITIONER(S) :

1. P.M.ILLIYAS @ PAYYADI MEETHAL ILYAS AGED 24 YEARS
S/O.ABDULLAH, PAYYADI MEETHAL HOUSE, POOLAKADAVU ROAD
CHEVAYOOR VILLAGE AND DESOM
P.O.MARIKUNI KOZHIKODE TALUK - 673 012.

2. AYSHA HASSAN M.T.P. AGED 19 YEARS
D/O.K.ASSAINAR ALIAS K.KUNHASSAINAR, M.T.P.HOUSE
P.O.MANIYATTE
PERMANENTLY RESIDING AT CHANDERA
KASARGODE DISTRICT - 671 310.

BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN

RESPONDENT(S) :

1. THE SUB INSPECTOR OF POLICE
CHEVAYOOR POLICE STATION, KOZHIKODE DISTRICT-673 017

2. THE CITY POLICE COMMISSIONER
KOZHIKODE CITY, KOZHIKODE - 673 001.

3. THE SUPERINTENDENT OF POLICE
OFFICE OF THE SUPERINTENDENT OF POLICE
KANNUR DISTRICT.

4. THE SUB REGISTRAR
OFFICE OF THE SUB REGISTRAR, CHEVAYOOR
KOZHIKODE DISTRICT - 673 017.

5. THE SUB INSPECTOR OF POLICE
CHANDERA POLICE STATION, CHANDERA, KASARGODE 671 310

6. K. ASSAINAR ALIAS K.KUNHASSAINAR
S/O.ABDUL REHMAN, M.T.P.HOUSE, P.O.MANIYATTE CHANDERA
KASARGODE DISTRICT- 671 310.

R1 TO R5 BY GOVERNMENT PLEADER SRI.RAMAPRASAD UNNI

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

WP(C).No. 12692 of 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - A TRUE COPY OF THE NOTICE OF INTENDED MARRIAGE ON 30.3.2015
SUBMITTED BY THE PETITIONERS BEFORE THE 4TH RESPONDENT MARRIAGE
OFFICER

EXT.P2 - A TRUE COPY OF THE RECEIPT NO.AE 991497 ISSUED FROM THE
OFFICE OF THE SUB REGISTRAR, CHEVAYOOR.

EXT.P3 -A TRUE COPY OF THE FRONT PAGE OF THE PASSPORT OF THE 1ST
PETITIONER

EXT.P4 - A TRUE COPY OF THE BIRTH CERTIFICATE OF THE 2ND PETITIONER

EXT.P5 - A TRUE COPY OF THE COMPLAINT CMP NO.1979 OF 2015 FILED BY
THE 6TH RESPONDENT BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT,
PAYYANNUR ALONG WITH TRUE ENGLISH TRANSLATION

EXT.P6 - A TRUE COPY OF THE PETITION SUBMITTED BY THE 1ST PETITIONER
THROUGH HIS ADVOCAT IN CMP NO.1979 OF 2015 BEFORE THE JUDICIAL FIRST
CLASS MAGISTRATE COURT PAYYANNUR

EXT.P7 - A TRUE COPY OF THE APPLICATION DATED 18.4.2015 REQUESTING
FOR POLICE PROTECTION SUBMITTED BEFORE THE 1ST RESPONDENT.

EXT.P8 - A TRUE COPY OF THE APPLICATION DATED 18.4.2015 REQUESTING
FOR POLICE PROTECTION SUBMITTED BEFORE THE 2ND RESPONDENT.

EXT.P9 - A TRUE COPY OF THE APPLICATION DATED 18.4.2015 REQUESTING
FOR POLICE PROTECTION SUBMITTED BEFORE THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No.12692 of 2015

Dated this the 28th April, 2015

JUDGMENT

Shaffique, J.

The petitioners claim that they are intending to get married, for which they have given notice as contemplated under the Special Marriage Act. In the meantime, the second petitioner's father, the 6th respondent had filed a complaint alleging that his daughter had been abducted by the petitioner. A man missing case was originally filed before the Chandra Police Station. The petitioners appeared before the Magistrate having jurisdiction over the said area. Their statements were recorded and the case has been closed. In the meantime, the 6th respondent filed another complaint before the Judicial First Class Magistrate Court, Payyannoor and the case is now posted for appearance on 30.4.2015. The petitioners apprehend that if they appear before the Magistrate Court, there is every chance that their life would be threatened.

2. The learned Government Pleader, on instruction, would submit that the Police will render necessary assistance for the petitioners to appear before the Court of Judicial Magistrate of First Class at Payyannoor.

3. In the said circumstances, there will be a direction to the first respondent to ensure that sufficient police protection is granted to the petitioners to appear before the Court of Judicial Magistrate of First Class, Payyannoor on 30.4.2015 and for return of their journey.

The Writ Petition is disposed of as above.

**A.M.SHAFIQUE
JUDGE**

P.V.ASHA, JUDGE

vgs28/4/15