

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. 13117 of 2015 (L)

PETITIONER(S) :

1. M/S. MUKKUMNNU SREE VETTAKORUMAKAN
KOTTAM PUNARUDHANA OMMITTEE
MUKKUNNU, P.O.KUPPAM
PIN - 670 502.REP. BY ITS SECRETARY, V.V.DAMODARAN
S/O.DAMODHARAN NAMBIAR, RESIDING AT VAYALIPRAVEETTI
PARAPPOOL, ARIYIL P.O., PIN : 670 143.

2. T.C.KRISHNAN AGED 48 YEARS
S/O.E.GOPALAN NAMBIAR, PRESIDENT
M/S.MUKKUNNU SREE VETTAKORUMAKAN KOTTAMPUNARUDHANA COMMITTEE
RESIDING AT SHREELAYAMHOUSE, MUKKUNNU, P.O.KUPPAM
PIN - 670 502.

BY ADVS.SRI.LAL K.JOSEPH
SRI.A.A.ZIYAD RAHMAN
SRI.V.S.SHIRAZ BAVA
SRI.JOSEPH KURIAN VALLAMATTAM

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TOGOVERNMENT
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT, STATUE
THIRUVANANTHAPURAM -695 001.

2. THE STATE POLICE CHIEF
KERALA POLICE HEAD QUARTERS, VAZHUTHACAUD
THIRUVANANTHAPURAM, PIN - 695 014.

3. THE DISTRICT POLICE CHIEF
CIVIL STATION P.O., KANNUR, PIN - 670 002.

4. THE SUB INSPECTOR OF POLICE
PARIYARAM POLICE STATION.

5. MUSTHAF, AGED 43 YEARS
S/O.VALIYAPARAMBATH, KUNHADULLAH
MADALANPUTHIYAPURAYIL, PARIYARAM AMSOM, MELEKUNNUDESOM
KUPPOM P.O., KANNUR, PIN - 670 502.

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6. MOHAMMED UNAIZ, AGED 32 YEARS
S/O.VALIYAPARAMBATH, KUNHADULLAH
MADALANPUTHIYAPURAYIL, PARIYARAM AMSOM, MELEKUNNUDESOM
KUPPOM P.O., KANNUR, PIN - 670 502.

7. MOHAMMED RAZI, AGED 24 YEARS
S/O.VALIYAPARAMBATH KUNHABDULLAH
MADALAN PUTHIYAPURAYIL, PARIYARAM AMSOM
MELEKUNNUDESOM, KUPPOM P.O., KANNUR
PIN -670 502.

8. MAYINKUTTY, AGED 35 YEARS
S/O.VALIYAPARAMBATH, KUNHABDULLAH
MADALANPUTHIYAPURAYIL PARIYARAM AMSOM
MELEKUNNUDESOM, KUPPOM P.O., KANNUR
PIN - 670 502.

R8 BY ADV. SRI.M.SASINDRAN
R1 TO R4 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:

WP(C).No. 13117 of 2015 (L)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: TRUE COPY OF THE CERTIFICATE DATED 29.10.2014 ISSUED BY
THE REGISTRAR OF SOCIETIES, KANNUR.
EXT.P-2: TRUE COPY OF THE LAWYER NOTICE DATED 28.8.14 ISSUED BY
E.V.GANGADHARAN ADVOCATE
EXT.P-3: TRUE COPY OF THE REPLY NOTICE DATED NIL IN REPLY TO EXT.P2
EXT.P-4: THE TRUE COPY OF THE PETITION DATED 23.12.14 SUBMITTED BY
THE PETITIONER BEFORE THE 4TH RESPONDENT
EXT.P-5: THE TRUE COPY OF THE NOTICE DATED 29.3.15 PUBLISHED BY THE
PETITIONER
EXT.P-6: THE TRUE COPY OF THE COMPLAINT DATED 22.4.15 SUBMITTED
BEFORE THE 4TH RESPONDENT TO GRANT ADEQUATE POLICE PROTECTION.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P(C).No. 13117 of 2015

Dated this the 28th April, 2015

JUDGMENT

Shaffique, J.

First petitioner claiming to be a Committee and the second petitioner being the President of the said Committee have approached this Court seeking police protection. According to the petitioners, they intend to conduct a 'Devapooja' in respect of an extent of 39.85 Ares of land in Mukkunnu Desom. According to them, the temple by name 'Sree Vettakorumakan Kshethram' is situated in the property. However, it is in a dilapidated condition and a Punarudharana Committee has been formed under the auspices of the petitioners for renovating the said temple. When attempts were made by the petitioners to renovate the temple and for that purpose when they were about to conduct a Pooja, the party respondents have obstructed the same. Though the

petitioners have filed a complaint before the Police for police protection, no steps have been taken by the Police, hence, the petitioners have approached this Court.

2. A counter affidavit has been filed by the 8th respondent inter alia stating that the right in respect of the said property belongs to respondents 5 to 8 as per Exhibit R8(a) title deed.

Having regard to the fact that the issue involved in the present case is with reference to the title to the property, we do not think that the Police can interfere and adjudicate the said right or grant any protection as sought for. The parties are at liberty to approach the Civil Court seeking appropriate reliefs. We do not intend to issue any order as prayed for. Accordingly this Writ Petition is dismissed.

**A.M.SHAFIQUE
JUDGE**

P.V.ASHA, JUDGE

vgs29/4/15