

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. 13302 of 2015 (K)

PETITIONER(S) :

1. JAYACHANDRAN,
AGED 40 YEARS,
S/O.RAVEENDRAN PILLA,
KUNNUMPURATH VEEDU,
MEVANAKONAM, THETTIKUZHIL,
KALLUVATHUKKAL,
PARIPALLY, KOLLAM DISTRICT.
2. RAVEENDRAN ACHARY,
RATHEESH BHAVAN,MEVANAKONAM,
THETTIKUZHI, KALLUVATHUKKAL,
PARIPALLY, KOLLAM DISTRICT.

BY ADV. SRI.M.TRIPTEN

RESPONDENT(S) :

1. SUB INSPECTOR OF POLICE,
PARIPALLY POLICE STATION,
PARIPALLY, KOLLAM.
2. ASSISTANT COMMISSIONER OF POLICE,
CHATHANNOOR POLICE STATION,
CHATHANNOOR, KOLLAM.
3. UNNIKRISHNA PILLA,
S/O.JANARDHANA PILLA, MEVANAKONAM,
THETTIKUZHI, KALLUVATHUKKAL,
PARIPALLY, KOLLAM DISTRICT.
4. BABU,
S/O.JANARDHANA PILLA,MEVANAKONAM,
THETTIKUZHI, KALLUVATHUKKAL,
PARIPALLY, KOLLAM DISTRICT.
5. MADHUSOODANA PILLA,
S/O.JANARDHANA PILLA,MEVANAKONAM,
THETTIKUZHI, KALLUVATHUKKAL,
PARIPALLY, KOLLAM DISTRICT.
6. GANGADHAVAN NAIR,
KOTTAYKERAM CHERY,PARIPALLY, KOLLAM.
7. BINDU,
BINDU BHAVAN, SREERAMAPURAM,
KALLUVATHUKKAL, KOLLAM.

R BY GOVERNMENT PLEADER SHRI P.P.PADMALAYAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONERS' EXHIBITS

EXT.P1: TRUE COPY OF THE ORDER DATED 1.4.2015 IN I.A.NO.605/2015 IN O.S.NO.107/15 ISSUED BY MUNSIFF'S COURT, PARAVOOR.

EXT.P2: TRUE COPY OF THE ORDER DT.19.3.2015 IN I.A.NO.552/2015 IN O.S.NO.97/2015 OF THE MUNSIFF'S COURT, PARAVOOR.

EXT.P3: TRUE COPY OF THE COMPLAINT DT.11.4.2015 FILED BEFORE RESPONDENTS 1 AND 2.

RESPONDENTS' EXHIBITS

NIL.

/TRUE COPY/

P.S TO JUDGE

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

W.P(C) No.13302 of 2015

Dated this the 28th day of April, 2015

JUDGMENT

Shaffique, J.

The petitioners have approached this Court seeking Police protection. It is not disputed that two civil suits are pending as O.S No.107 of 2015 and O.S.No.97 of 2015. The dispute relates to usage of a pathway and in O.S No.97 of 2015, the petitioners are parties to the civil dispute.

2. The petitioners submit that there is law and order situation and therefore they are unable to use the pathway in question.

3. Having regard to the fact that the parties are already before the civil court, the petitioners' remedy is to approach the civil court and seek appropriate orders. We do not think that the Police will be in a position to decide the right of the parties over the pathway.

In such circumstances, reserving the right of the

petitioners to approach the civil court for appropriate orders,
this Writ Petition is disposed of.

Sd/-
A.M.SHAFFIQUE
Judge

Sd/-
P.VASHA
Judge

rtr/

/true copy/

P.S to Judge

P.V.ASHA, J

R.P. No. in W.P.(C) No.

O R D E R

Dated 31st July, 2009.