

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 15338 of 2015 (N)

PETITIONER(S):

**JULIT ANTONY AGED 67 YEARS
W/O.ANTONY, KAKKARIYIL HOUSE, KOOVVAPPADAM DESAM
P.O.MATTANCHERY, THOPPUMPADI VILLAGE, KOCHI TALUK
ERNAKULAM DISTRICT**

**BY ADVS.SRI.P.G.SURESH
SRI.G.SUDHEER (THURAVOOR)
SRI.RAJAN VISHNURAJ
SRI.V.HARISH**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE ASSISTANT COMMISSIONER OF POLICE
MATTANCHERY, KOCHI, ERNAKULAM DISTRICT 682 002.**
- 3. THE CIRCLE INSPECTOR OF POLICE
MATTANCHERY, KOCHI, ERNAKULAM DISTRICT 682 002.**
- 4. THE SUB INSPECTOR OF POLICE
MATTANCHERY, KOCHI, ERNAKULAM DISTRICT 682 002.**
- 5. M.SIVADATHAN , AGED ABOUT 52 YEARS,
PRESIDENT , INTUC, MUNDANVELI UNIT,
RAJEEV MANDIR, P.O.MUNDANVELI
KOCHI ERNAKULAM DISTRICT 682 507.**

6. P.D.VINCENT,AGED ABOUT 52 YEARS,
VICE PRESIDENT, INTUC,
MUNDANVELI UNIT, RAJEEV MANDIR, P.O.MUNDANVELI
KOCHI ERNAKULAM DISTRICT NOW RESIDING
AT PUTHENPURACKAL HOUSE
BEACH ROAD, FISHERMEN COLONY, P.O.FORT KOCHI
ERNAKULAM DISTRICT - 682 001.

BY SR GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 15338 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- A TRUE PHOTOCOPY OF THE BUILDING PERMIT ISSUED BY KOCHI MUNICIPAL CORPORATION DATED 5.3.2015

P2- A TRUE PHOTOCOPY OF THE FIRST INFORMATION REPORT IN CRIME NO.521/2015 OF MATTANCHERY POLICE STATION ALONG WITH THE ENGLISH TRANSLATION.

P3- A TRUE COPY OF THE WRITTEN COMPLAINT FILED BY HTE PETITIONER WITH THE 2ND RESPONDENT DATED 20.5.2015 ALONG WITH THE ENGLISH TRANSLATION

RESPONDENT(S)' EXHIBITS NIL

Rp

//True Copy//

PA to Judge

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 15338 of 2015

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Dated this, the 29th day of May, 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to respondents 5 and 6 in view of the order which is being passed.

2. Petitioner has come up in the writ petition seeking police protection against respondents 5 and 6. Petitioner's case is that she has already been granted building permit for construction of a residential building and when she started construction, obstruction was created by respondents 5 and 6. It is submitted that respondents 5 and 6 also manhandled the son of the petitioner. Learned Government Pleader after obtaining instructions submits that on a compliant filed by the petitioner's son, Crime has already been registered. It is submitted that one crime has also been registered against the petitioner's son. Learned Government Pleader further submits that police has

already removed the activists and keeping a vigil over the area. He submits that police is ready to provide protection as and when required.

In view of the matter, we close the writ petition with an observation that in the event any such obstruction is created, it is open for the petitioner to bring the same to the notice of the police authorities, who shall take appropriate action.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PA to Judge