

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

WP(C).No. 16122 of 2015 (M)

PETITIONER(S) :-

SHAKKEENA GHANI, AGED 36 YEARS
W/O MOHAMMED GHANI, NOUSHAND MANZIL, KUTHIRAPARA,
PATTIPARAMBU, THRISSUR DISTRICT

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA

RESPONDENT(S) :-

1. RAGHAVAN V.T., BHAGAVATHIPARAMBIL HOUSE,
PATTIPARAMBU, THIRUVILWAMALA,
THRISSUR DISTRICT, PIN - 680 588.
2. ANILKUMAR, S/O RAGHAVAN, BHAGAVATHIPARAMBIL HOUSE,
PATTIPARAMBU, THIRUVILWAMALA,
THRISSUR DISTRICT - 680 588.
3. ASWATHIKUTTY, D/O RAGHAVAN, BHAGAVATHIPARAMBIL HOUSE,
PATTIPARAMBU, THIRUVILWAMALA,
THRISSUR DISTRICT - 680 588.
4. SUPERINTENDENT OF POLICE, THRISSUR, PIN - 680 003.
5. SUB INSPECTOR OF POLICE
PAZHAYANNUR POLICE STATION
THRISSUR DISTRICT, PIN - 680 587.
6. CIRCLE INSPECTOR OF POLICE
CHELAKKARA POLICE STATION, THRISSUR, PIN - 680 586.

R4 TO R6 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 16122 of 2015 (M)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 : TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED TO THE
PETITIONER DATED 07/5/15.

EXT.P2 : TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER
BEFORE THE 4TH RESPONDENT DATED 06/5/15 WITH ENGLISH TRANSLATION.

EXT.P2(a) : TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER
BEFORE THE 5TH RESPONDENT WITH ENGLISH TRANSLATION.

EXT.P2(b) : TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER
BEFORE THE 4TH RESPONDENT DATED 06/5/15 WITH ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.16122 of 2015

Dated this the 1st day of June 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection inter alia contending that she is the owner in possession of an extent of 2 acres 16 cents of land in Survey No.1650/2, 1650/3, 1650/1 and 1651/1 of Thiruvilvamala Village. According to her, she purchased the property as per the sale deed dated 16.3.2013. The complaint of the petitioner is that when she went to the property she was abused by the private respondents and they are preventing the petitioner from exercising her right over the property. Respondent Nos.1 to 3 had already filed a suit before the Vacation Court, Thrissur claiming that they are in possession of the property.

2. It is submitted by the learned counsel for the petitioner that the petitioner has also filed a suit against respondents 1 to 3.

3. Having regard to the aforesaid factual situation where, civil suits are pending between the parties, it is apparent that the issue involved is regarding the right of enjoyment of the property,

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which cannot be decided by the police in any manner. The police can interfere in the matter, if there is any law and order situation and such a situation has not arisen so far.

Under such circumstances, relegating the petitioner to approach the civil court for appropriate relief, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE