

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN  
&**

**THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

**TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937**

**WP(C).No. 19912 of 2013 (L)**  
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**PETITIONER(S):**  
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**ABDUL KHADER,  
S/O.PAREETH, AGED 44 YEARS,  
RESIDING AT NETTIPARAMBIL (SAHARANI MANSION),  
CHANDIROOR MURI, AROOR VILLAGE, ALAPPUZHA.**

**BY ADVS.SRI.K.S.HARIHARAPUTHRAN,  
SRI.GEORGE MATHEW.**

**RESPONDENT(S):**  
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- 1. SUPERINTENDENT OF POLICE,  
ALAPPUZHA, PIN-688 001.**
- 2. SUB INSPECTOR OF POLICE,  
KUTHIYATHODU POLICE STATION,  
CHERTHALA, PIN-688 533.**
- 3. SAJAN, S/O.CHEEKU,  
AGED ABOUT 25 YEARS, CHOKAMTHARA HOUSE,  
NEENDAKARA, EZHUPUNNA SOUTH P.O.,  
CHERTHALA, PIN-688 550.**
- 4. JOBY, S/O.JOSEPH,  
AGED ABOUT 25 YEARS, VALIYAPARAMBU,  
PUTHANATTU COLONY, NEENDAKARA,  
EZHUPUNNA SOUTH P.O., CHERTHALA, PIN-688 550.**
- 5. BIBIN, S/O.KUNJACHAN,  
AGED ABOUT 27 YEARS, PADINJARE VEEDU,  
NEENDAKARA, EZHUPUNNA SOUTH P.O.,  
CHERTHALA, PIN-688 550.**

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**6. V.K. REVI, AGED ABOUT 48 YEARS,  
VALIYATHARA PUTHUSSERIVELI,  
EZHUPUNNA SOUTH P.O., KARUMANCHERRY,  
CHERTHALA, PIN-688 550.**

**R1 & R2 BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR.  
R4 TO R6 BY ADVS. SRI.JAGADEESH LAKSHMAN,  
SRI.S.PRASANTH.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 03-11-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

**rs.**

APPENDIX

PETITIONER'S EXHIBITS:-

- P1: TRUE COPY OF RECEIPT DATED 02.08.2013.
- P2: TRUE COPY OF RECEIPT DATED 08.07.2013.
- P3: TRUE COPY OF RECEIPT DATED 08.07.2013.
- P4: TRUE COPY OF RECEIPT DATED 08.07.2013.
- P5: TRUE COPY OF RECEIPT DATED 02.08.2013.
- P6: TRUE COPY OF COMPLAINT FILED BY PETITIONER BEFORE  
2ND RESPONDENT DATED 22.07.2013.
- P7: TRUE COPY OF RECEIPT DATED 23.07.2013.
- P8. COPY OF THE REPRESENTATION DATED 17/05/2013.
- P9. COPY OF THE AGREEMENT EXECUTED BY THE PETITIONER AS  
DIRECTED BY THE AGRICULTURAL OFFICER, KODAMTHURUTH.
- P10. COPY OF THE PHOTOGRAPH SHOWING THE BOUNDARY THE  
PROPERTY OF PETITIONER.

RESPONDENT'S EXHIBITS:-

- EXT.R6A COPY OF THE ORDER OF THE DISTRICT COLLECTOR,  
ALAPPUZHA DATED 27/03/2013.
- EXT.R6B COPY OF THE ORDER OF THE DISTRICT COLLECTOR,  
ERNAKULAM DATED 22/03/2013.
- EXT.R6C COPY OF THE RECENT PHOTOGRAPH SHOWING THE SOUTHERN  
BOUNDARY OF THE PROPERTY OF THE PETITIONER DATED NIL.
- EXT.R6D COPY OF THE PASSBOOK OF THE SIXTH RESPONDENT ISSUED BY  
KERALA FISHERMEN'S WELFARE FUND BOARD DATED 29/11/2005.
- EXT.R6E COPY OF THE RATION CARD ISSUED TO THE SIXTH RESPONDENT  
DATED 24/12/2008.

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**EXT.R6F      COPY OF THE PASS BOOK OF FIFTH RESPONDENT ISSUED BY  
KERALA FISHERMEN'S WELFARE FUND BOARD DATED 31/12/2002.**

**EXT.R6G      COPY OF THE RECENT PHOTOGRAPH OF THE BUILDING OF THE  
PETITIONER DATED NIL.**

**EXT.R6H      COPY OF THE RECENT PHOTOGRAPH OF THE EASTERN SIDE  
OF THE PROPERTY OF THE PETITIONER DATED NIL.**

**//TRUE COPY//**

**P.S. TO JUDGE**

**rs.**

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

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**W.P.(C)No.19912 of 2013**  
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**Dated this the 3<sup>rd</sup> day of November, 2015.**

**J U D G M E N T**

SHAFFIQUE, J.

This writ petition is filed seeking police protection for the life and property of the petitioner. The issue in this matter relates to the fish farming being conducted by the petitioner in the property in question. It is contended that respondents 3 to 6 have no right over the property and unnecessarily they are creating problems in the functioning of the fish farms/paddy field.

2. Having regard to the fact that the issue projected by the petitioner amounts to a civil dispute, we do not think that the police have to interfere in the matter. Hence we close this writ petition reserving the right of the petitioner to approach the civil court advancing the claim

raised in this writ petition.

Sd/-  
**ASHOK BHUSHAN,**  
**CHIEF JUSTICE.**

Sd/-  
**A.M.SHAFFIQUE,**  
**JUDGE.**

ami/

//True copy//

P.A. to Judge