

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 17291 of 2015 (J)

PETITIONER :

MINI KUMARI K, AGED 55 YEARS
W/O.MURUKESAN.K.P, KUTTIPURATHU HOUSE, THUMPOLLY.P.O
ALAPPUZHA-8.

BY ADV. SRI.JAMES ABRAHAM (VILAYAKATTU)

RESPONDENTS :

1. CIRCLE INSPECTOR OF POLICE,
ALAPPUZHA NORTH POLICE STATION,
ALAPPUZHA DISTRICT - 678 008.
2. SUJETHA PUSHPANGATHAN,
SANJU NIVAS, PATHIRAPPALLY.P.O,
ALAPPUZHA DISTRICT - 678 008.

R1 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 17291 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 TRUE COPY OF THE SALE DEED NO,.2162/87 AND TRANSLATION

EXT.P2 TRUE COPY OF THE TAX RECEIPT DATED 5.9.2014 WITH RESPECT TO
PROPERTY MENTIONED IN EXHIBIT P1 AND TRANSLATION

EXT.P3 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE
THE 1ST RESPONDENT AND TRANSLATION

EXT.P4 TRUE COPY OF THE RECEIPT DATED 3.6.2015 ISSUED BY THE
1ST RESPONDENT AND TRANSLATION.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No.17291 of 2015

Dated this the 17th day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. This writ petition has been filed by the petitioner praying for police protection to the life and property of the petitioner and her family and to enter into the property covered by Ext.P1 sale deed. Petitioner's case is that she was obstructed by the 2nd respondent on 2.6.2015. A complaint, Ext.P3, is said to have been filed on 3.6.2015.

3. Learned Government Pleader on instructions would submit that the property of the 2nd respondent is adjacent to the petitioner's property and that the petitioner wanted to construct a compound wall, which was objected by the 2nd respondent. It is submitted that there is no obstruction to the petitioner to enter into her property. Other issue is regarding boundary dispute.

4. Having regard to the above factual situation, we are of the view that the remedy available to the petitioner is to either get

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the boundary demarcated or take such steps before the competent civil court, if so advised. We see no reason to issue any direction as prayed for.

Accordingly, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt