

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYASHTA, 1937

WP(C).No. 17477 of 2015 (H)

PETITIONER :

MATHAI, AGED 78 YEARS,
S/O. THAREETH, CHENNOTHMALIL HOUSE,
KOTTAPPADY, ALUVA, ERNAKULAM DISTRICT.

BY ADV. SRI.SHAJI P.MATHEW

RESPONDENTS :

1. DIRECTOR GENERAL OF POLICE, KERALA STATE,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM - 695 001.
2. SUB DIVISIONAL DEPUTY SUPERINTENDENT OF POLICE,
DISTRICT POLICE OFFICE, ERNAKULAM RURAL - 682 031.
3. STATION HOUSE OFFICE, KOTTAPPADY POLICE STATION
KOTTAPPADY - 686 692.
4. SHAJI, S/O.MATHAI, CHENNOTHUMALIL VEEDU,
KOTTAPPADI VILLAGE, KOTTAPPADY, ALUVA,
ERNAKULAM, PIN - 686 692.
5. PAREETHU, S/O.KOYAN, PARACKAL,
KOTTAPADY VILLAGE, KOTHAMANGALAM TALUK,
ALUVA, ERNAKULAM DISTRICT, PIN - 686 692.
6. MUHAMMED, S/O.MOIDEEN, PULIKKAPARAMBIL,
KOTTAPADY VILLAGE, KOTHAMANGALAM TALUK,
ALUVA, ERNAKULAM DISTRICT, PIN - 686 692.
7. ALIYAR, S/O.ABOOBACKER, KUMBASSERIL,
KOTTAPADY VILLAGE, KOTHAMANGALAM TALUK,
ALUVA, ERNAKULAM DISTRICT, PIN - 686 692.

R1 TO R3 BY SR.GOVERNMENT PLEADER, SRI. C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 17477 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBIT :

EXT.P1 : ENGLISH VERSION OF THE COMPLAINT SUBMITTED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 17477 OF 2015

Dated this the 11th day of June, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader.

2. This writ petition has been filed praying for a direction to respondents 1 to 3 to afford adequate and effective police protection to the petitioner for residing peacefully in his family house. Admittedly a suit has already been filed by the petitioner in the civil court as O.S. No.142/2013 challenging the trespass committed in the property of the petitioner. The 4th respondent is the son of the petitioner against whom allegations have been made. Petitioner claims to be a senior citizen.

3. Learned Government Pleader submits that the petitioner is under treatment for mental disorder and has also filed large number of complaints and suits against his son.

4. In the above view of the matter, we only observe that in the event any offence is committed or there is attempt

to commit offence, on the complaint of the petitioner, the Police shall look into the same and do the needful. The petitioner can very well seek appropriate reliefs in the pending suit regarding his right to live in his house.

With the above observation the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**