

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 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C) .No. 17561 of 2015 (U)

PETITIONER :-

P.R.SHYAMKUMAR, AGED 35 YEARS
S/O RAVEENDRAN, MADATHIVILA HOUSE, PAMBARA KARA
P.O.PULIKKAMALY, MANEED VILLAGE, MUVATTUPUZHA TALUK
ERNAKULAM DISTRICT, PIN-682314.

BY ADV. SRI.MATHEW KURIAKOSE

RESPONDENTS :-

1. THE SUPERINTENDENT OF POLICE,
RURAL, ERNAKULAM-682 031.
2. THE CIRCLE INSPECTOR OF POLICE,
PIRAVOM-686 664.
3. THE SUB INSPECTOR OF POLICE,
PIRAVOM-686 664.
4. SMT.RADHA,, AGED ABOUT 50 YEARS
D/O.KUTTAN, RESIDING AT PARAYIL HOUSE, PAMBARA KARA
MANEED VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT
PIN-682 314.
5. SUKU, AGED 48 YEARS
S/O.KUTTAN, RESIDING AT PARAYIL HOUSE, PAMBARA KARA
MANEED VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT
PIN-682 314.
6. RAJU, AGED 45 YEARS
S/O.KUTTAN, RESIDING AT PARAYIL HOUSE, PAMBARA KARA
MANEED VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT
PIN-682 314.
7. KUTTAN, AGED ABOUT 70 YEARS
S/O.VIRUNNAAN, RESIDING AT PARAYIL HOUSE, PAMBARA KARA
MANEED VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT
PIN-682 314.

R1-R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R4-R7 BY ADV. SRI.P.M.JOSHI
SRI.K.T.SAJU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 : TRUE COPY OF THE OBJECTION CERTIFICATE DATED 08.10.2014 ISSUED BY THE MANEED GRAMA PANCHAYATH.

EXT.P2 : TRUE COPY OF THE FINAL ORDER IN I.A.3975/2014 DATED 30.01.2015 IN O.S.666/2014 ON THE FILE OF THE MUNSIF COURT, MUVATTUPUZHA.

EXT.P3 : TRUE COPY OF THE ORDER DATED 01.04.2015 IN I.A.146/2015 IN CMA 5/2015 OF SUB COURT, MUVATTUPUZHA.

EXT.P4 : TRUE COPY OF THE ORDER DATED 01/04/2015 IN I.A.143/2015 IN CMA.4/2015 OF SUB COURT, MUVATTUPUZHA.

EXT.P5 : TRUE COPY OF THE FIR IN CRIME NO.0007 DATED 04.01.2015 OF PIRAVOM POLICE STATION.

EXT.P6 : THE ENGLISH TRANSLATION OF EXT.P5.

EXT.P7 : TRUE COPY OF THE FIR IN CRIME NO.0074 DATED 26.01.2015 OF PIRAVOM POLICE STATION.

EXT.P8 : THE ENGLISH TRANSLATION OF EXT.P7.

EXT.P9 : TRUE COPY OF THE FIR IN CRIME NO.0011 DATED 06.01.2015 of PIRAVOM POLICE STATION.

EXT.P10 : THE ENGLISH TRANSLATION OF EXT.P9.

EXT.P11 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER TO 1st RESPONDENT DATED 11.03.2015.

EXT.P12 : THE ENGLISH TRANSLATION OF EXT.P11.

EXT.P13 : TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER TO 2ND RESPONDENT DATED 01.06.2015.

EXT.P14 : ENGLISH TRANSLATION OF EXT.P13.

EXT.P15 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO 3RD RESPONDENT DATED 21.02.2015.

EXT.P16 : THE ENGLISH TRANSLATION OF EXT.P15.

EXT.P17 : TRUE COPY OF THE ORDER DATED 04.07.2015 ISSUED BY THE SECRETARY OF THE MANEED GRAMA PANCHAYAT.

EXT.P18 : TRUE ENGLISH TRANSLATION OF EXHIBIT P17.

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RESPONDENT(S) ' EXHIBITS :-

EXT.R4 : TRUE COPY OF THE COMMISSION REPORT DATED 16-12-2014
WITH ROUGH SKETCH IN I.A.No.3974/2014 IN O.S.No.666/2014.

EXT.R4A : THE ENGLISH TRANSLATION OF EXHIBIT R4.

EXT.R4B : TRUE COPY OF THE COMMISSION REPORT DATED 15-1-2015
WITH ROUGH SKETCH IN I.A.No.4037/2014 IN O.S.No.666/2014.

EXT.R4C : THE ENGLISH TRANSLATION OF EXHIBIT R4B.

EXT.R4D : TRUE COPY OF THE ORDER OF MANEED GRAMA PANCHAYAT.

EXT.R4E : TRUE ENGLISH TRANSLATION OF EXHIBIT R4D.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No. 17561 OF 2015

Dated this the 4th day of September, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner, learned Government Pleader as well as learned counsel appearing for respondents 4 to 7.

2. This writ petition has been filed seeking a direction to respondents 1 to 3 to give adequate and effective police protection to the petitioner against respondents 4 to 7 from making any obstruction in bringing construction materials for construction of a residential house by the petitioner in his property in Sy.No.238/1 of Maneed Village.

3. Learned counsel for the petitioner submits that due to the intervention of respective persons of the society, the dispute pertaining to the pathway through the property of the petitioner has been settled. Learned counsel for respondent Nos.4 to 7 submits that no obstruction is being created by them on account of the above settlement.

4. In the above view of the matter, we see no reason to issue any direction as prayed for. We only observe that in the event if any obstruction is created, it shall be open for the petitioner to file a complaint before the police authorities, which shall be looked into by them in accordance with law.

The Writ Petition is disposed of as above.

**Ashok Bhushan,
Chief Justice.**

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