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 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 17720 of 2015 (L)
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PETITIONER :
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K.MAJEENDRAN AGED 50 YEARS
HRISHIKESAM C.K KALATHIL PAYYALLUR P.O, KOLLAMKODU
PALAKKADU DISTRICT

BY ADVS.SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.P.RAJENDRAN NAIR

RESPONDENTS :
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1. ADDL.DISTRICT MAGISTRATE
COLLECTORATE, PALAKKADU 678 001

2. THE SUPERINTENDENT OF POLICE,
PALAKKADU DIST 678 001

3. THE DEPUTY SUPERINTENDENT OF POLICE,ALATHUR,
PALAKKADU DISTRICT 678 541

4. THE CIRCLE INSPECTOR OF POLICE
KOLLAMKODU 678 506

5. THE SUB-INSPECTOR OF POLICE,
KOLLAMKODU, PALAKKADU DIST 678 506

6. K.BABURAJ C.K
KALAM, PAYYALLUR P.O, KOLLAMKODU
PALAKKADU DISR. 678 506

R1 TO R5 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 17720 of 2015 (L)
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APPENDIX

PETITIONER'S EXHIBITS :
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EXT P1 TRUE COPY THE AGREEMENT NO.6/AEE/07-08 DATED 25-1-2008

EXT.P2 TRUE COPY OF THE PETITION SENT TO THE 5TH RESPONDENT BY THE PETITIONER

EXT.P3 TRUE COPY OF THE PETITION SENT TO THE 4TH RESPONDENT BY THE PETITIONER

EXT.P4 TRUE COPY OF THE PETITION SENT TO THE 1ST RESPONDENT BY THE PETITIONER

EXT.P5 TRUE COPY OF THE PETITION SENT TO THE 2ND RESPONDENT BY THE PETITIONER

RESPONDENTS' EXHIBITS :
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NIL

/TRUE COPY/

PA TO JUDGE

**ASHOK BHUSHAN, C.J &**
**A.M. SHAFFIQUE, J.**
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**W.P.(C) No.17720 of 2015**
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**Dated this the 16th 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. No notice is required to be issued to the 6th respondent in view of the order being passed in the writ petition.

3. The petitioner has come up with this writ petition seeking for a direction to respondents 2 to 5 to provide adequate and effective protection to the petitioner's life and property and enabling life for them in their premises and society. Allegations have been made against the 6th respondent, who is the brother of the petitioner and an incident dated 26.5.2015 is narrated, in which, the JCB brought by the petitioner was obstructed by the 6th respondent. A complaint was also given to the police authorities. Since no action has been taken in the matter, the petitioner has approached this Court.

4. Learned Government Pleader on instructions would submit that as there was obstruction created by the 6th respondent

in the matter relating to entry of JCB, the police authorities were informed and the police itself went to the spot and the matter was solved therein. The JCB was directed to go by another way and there is neither any obstruction as on date nor any law and order situation.

5. Learned counsel for the petitioner prays that he may be allowed to verify the above facts.

6. In view of the submission made by the learned Government Pleader, we are of the view that since there is no obstruction as on date, there is no necessity to keep this writ petition pending.

Hence, we close the writ petition with liberty to the petitioner to file appropriate complaint, if there is any offence committed or attempt to commit offence.

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

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

Jvt