

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 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 18401 of 2015 (A)

PETITIONER :-

KABEER RAWTHER, AGED 63 YEARS
S/O.KOCHIPILLA RAWTHER, SAIDA MANSIL, PEROOR
KARAZHMA, CHARUMOOD

BY ADV. SRI.R.SUNIL KUMAR

RESPONDENTS :-

1. DISTRICT POLICE CHIEF
DISTRICT POLICE CHIEF OFFICE, ALAPPUZHA - 695 001.
2. INSPECTOR OF POLICE
CIRCLE OFFICE, MAVELIKKARA - 690 101.
3. SUB INSPECTOR OF POLICE
NOORANADU POLICE STATION, NOORANADU - 695 002.
4. VISHNU, PADMA VILASOM, KOMALLOOR P O, KARIMULACKAL
CHARUMOOD, ALAPPUZHA - 695 001.
5. PRAVEEN DAS
KINARVILAYIL KIZHAKKATHIL, KOMALLOOR P O
KARIMULACKAL , CHARUMOOD, ALAPPUZHA - 695 001.

R1-R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

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APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1:-COPY OF THE POSSESSION CERTIFICATE.

EXT.P2:-COPY OF THE BUILDING PERMIT ISSUED BY THE PANCHAYATH.

EXT.P3:-COPY OF THE PERMIT ISSUED BY THE PANCHAYATH.

EXT.P3 (a) :-TRUE COPY OF THE TRANSLATION OF EXT P3.

EXT.P4:-COPY OF THE COMPLAINT BEFORE THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.18401 of 2015

Dated this the 1st day of July 2015

J U D G M E N T

Ashok Bhushan, CJ.

Heard the learned counsel for the petitioner and the learned State Attorney.

2. The petitioner has come up with this writ petition seeking for a direction to respondents 1 to 3 to provide adequate protection to the life of the petitioner and for removing red earth from petitioner's property in accordance with the permit issued by the Mining and Geology Department from the illegal threats of the 4th and 5th respondents.

3. Learned State Attorney on instructions would submit that as on date there is no obstruction in petitioner removing red earth. It is submitted that as and when any complaint is received, the police shall provide adequate protection.

In the above view of the matter, we dispose of the writ petition observing that if any obstruction is created by private respondents, it shall be open for the petitioner to

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-: 2 :-

approach the police for necessary protection, who shall look into the matter and needful shall be done.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

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

Jvt