

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 18483 of 2015 (I)

PETITIONER(S) :-

SHAHUL HAMEED.A
T.C. 25/195, PARK LANE, PULIMOODU JUNCTION
M.G. ROAD, THIRUVANANTHAPURAM.

BY ADVS.SRI.P.A.AHAMMED
SRI.THOUFEEK AHAMED

RESPONDENT(S) :-

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, HOME DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
 2. CIRCLE INSPECTOR OF POLICE,
THAMPANOR POLICE STATION, THAMPANOR - 695 001.
 3. SAJEEV R NAIR,
S/O. RAMACHANDRAN NAIR, T.C. 16/741, PONNARA
JAGATHY, THYCAUD, THIRUVANANTHAPURAM - 695 014.
 4. SREEDHARAN NAIR,
S/O. NARAYANAN PILLAI, SIVALAYAM, ALANTHARAKONAM
PEYAD P.O., THIRUVANANTHAPURAM - 695 573.
- R1 & R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C).No. 18483 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT-P1-TRUE COPY OF THE CASE SUMMARY DATED 12/03/2008 OF THE PETITIONER.

EXHIBIT-P2-TRUE COPY OF THE PLAINT IN O.S 49/2014 OF THE SUB COURT, THIRUVANANTHAPURAM DATED 24/02/2014.

EXHIBIT-P3-TRUE COPY OF THE ORDER IN I.A 1012/2014 DATED 26/02/2014 OF THE SUB COURT, THIRUVANANTHAPURAM.

EXHIBIT-P4-TRUE COPY OF THE ORDER IN I.A 1013/2014 DATED 26/02/2014 OF THE SUB COURT, THIRUVANANTHAPURAM.

EXHIBIT-P5-TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 11/06/2015 ALONG WITH ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.18483 of 2015

Dated this the 29th 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 respondents 3 and 4 in view of the order, which is being passed in the writ petition.

3. The petitioner has filed this writ petition seeking a direction to the 2nd respondent to grant adequate and effective protection to the life of the petitioner from the threat and illegal activities of respondents 3 and 4. According to the petitioner, a civil suit between the parties is pending before the civil court, a reference has been made to O.S.No.49 of 2014. It is submitted that a complaint was filed by the petitioner before the Magistrate, which has been directed to be investigated.

4. Learned Government Pleader after obtaining instructions, submits that there are complaint and counter complaint as well as suit and cross suit regarding a shop property by both parties, which are pending consideration in civil court. It

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is submitted that the petitioner, if so advised, shall obtain appropriate orders from the civil court.

5. Learned counsel for the petitioner submits that he apprehends threat from respondents 3 and 4. Hence, the police may be directed to provide proper protection.

6. Since the issue between the parties is pending before the civil court, we only observe that if there is any offence committed or attempt to commit offence, it shall be open for the petitioner to file appropriate complaint before the police, who shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE