

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 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No. 18680 of 2015 (H)

PETITIONER(S):

**PRASANNAKUMAR, AGED 52 YEARS,
S/O.LATE BHARGAVAN, 'AISWARYA',
NEDUNGOLAM P.O., MEENADU CHERRY,
PARAVUR VILLAGE, KOLLAM DISTRICT.**

BY ADV. SRI.V.VENUGOPALAN NAIR.

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
PARAVUR POLICE CIRCLE, KOLLAM DISTRICT - 689 001.**
- 3. THE SUB INSPECTOR OF POLICE,
PARAVUR POLICE STATION, KOLLAM DISTRICT - 689 001.**
- 4. MANIYAN, AGED 70 YEARS,
S/O.KESAVAN, ACHU NIVAS, PUTHENKULAM,
PUTHENKULAM CHERRY, PUTHENKULAM P.O.,
POOTHAKKULAM VILLAGE, KOLLAM DISTRICT, PIN - 691 302.**
- 5. UGRASENAN, AGED 65 YEARS,
S/O.MARTHANDAN, VINU BHAVAN, PUTHENKULAM P.O.,
POOTHAKKULAM CHARRY, POOTHAKKULAM VILLAGE
FROM KURAKULATHU VADAKKE CHARUVILA VEEDU,
PUTHENKULAM P.O., POOTHAKKULAM CHARRY,
POOTHAKKULAM VILLAGE, KOLLAM DISTRICT, PIN - 691 302.**

R1 TO R3 BY SRI.P. VIJAYARAGHAVAN, STATE ATTORNEY.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 18680 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1. A TRUE COPY OF THE ORDER DATED 21.10.2014 OF THE HON'BLE
MUNSIFF'S COURT PARAVUR, KOLLAM IN I.A NO.1483/2014 IN
OS NO.355/2014.**

**EXHIBIT P2. A TRUE COPY OF THE RECEIPT ISSUED FROM THE PARAVUR
POLICE STATION DATED 07.04.2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 18680 of 2015

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Dated this, the 23rd 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 State Attorney. No notice is being issued to respondents 4 and 5 in view of the judgment which is being passed.

2. Petitioner has prayed for a direction to respondents 2 and 3 to provide police protection and further to ensure that Ext.P1 is not violated by respondents 4 and 5. Petitioner's case is that they have obtained an interim injunction from the Civil Court in OS No.355/2014. He submits that petitioner and his wife were attacked consequent to which they filed a complaint on 7th of April, 2015. But no action has yet been taken.

3. Learned State Attorney after obtaining instructions submits that after receipt of the complaint, both the parties were called at the police station and the respondents were warned. He submits that no untoward incident had been reported thereafter.

-:2:-

In the above view of the matter, we are of the view that no direction need be issued as on date in the writ petition. In so far as violation of injunction order is concerned, it is open for the petitioner to approach the Civil Court under Order 39 Rule 2A of the Code of Civil Procedure and if any offence or attempt to offence is committed, it shall be open for the petitioner to file appropriate complaint.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge