

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. 18778 of 2015 (V)

PETITIONER(S) :

- 1. P.T.ABDU RAHMAN, AGED 65 YEARS,
S/O.LATE MUHAMMED, PRESIDENT
KERALA NADVATHUL MUJAHIDEEN, MADRASAHUL SALAFIYA,
SIYAMKANDAM, PARADI HOUSE, PULIKAL P.O.,
CHERUKAVU VILLAGE, MALAPPURAM-673 637.**
- 2. NAFEESA KATTIPARUTHI AGED 52 YEARS,
W/O.P.KOYAKUTTI, 'ASNAS', SIYAMKANDAM,
PULIKAL P.O.**

**BY ADVS.SRI.ESM.KABEER
SRI.M.S.JAYAKRISHNAN**

RESPONDENT(S) :

- 1. P.SAYED MUHAMMED SHAKIR
S/O.KUNHI SEEDIKOYA THANGAL, UGASNA, SIYAMKANDAM,
PULIKAL P.O., MALAPPURAM DISTRICT-673 637.**
- 2. PALATHINGAL BASHEER ALIAS ABDU,
S/O.BAVA, PUTHALAM PALLIPURAYA HOUSE, SIYAMKANDAM,
PULIKAL P.O., MALAPPURAM DISTRICT-673 637.**
- 3. MUHAMMED SHAFI P.K.,
S/O.ABDURAHIMAN, THOTTIYAMPARA, IKARAPADI P.O.,
PULIKAL, MALAPPURAM DISTRICT-673 637.**
- 4. PAINGINI PARAPPAN ANWAR,
S/O.MUHAMMED KUTTY, VADAKEPOTTA HOUSE, IKARAPADI P.O.,
MALAPPURAM DISTRICT-673 637.**
- 5. P.K.CHAKKALA AHAMED,
S/O.MUHAMMEDKUTTY, VADAKEPOTTA HOUSE, IKARAPADI P.O.,
MALAPPURAM DISTRICT-673 637.**
- 6. N.K.M.ABDUL RASHEED,
'NASEEB', SIYAMKANDAM, PULIKAL P.O-673 637.**

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7. SALMAN P.P.,
S/O.P.PUMMER, PUTHALAM HOUSE, SIYAMKANDAM,
PULIKAL P.O-673 637.
8. ALTHAF HUSSAIN P.C.,
S/O.P.C.MUHAMMEDKUTTY, SIYAMKANDAM HOUSE,
P.O.PULIKKAL-673 637.
9. NAJEEB P.P.,
S/O.P.P.ABOOBACKER, PUTHALAM HOUSE, SIYAMKANDAM,
PULIKAL P.O-673 637.
10. CIRCLE INSPECTOR OF POLICE,
KONDOTTY, MALAPPURAM DISTRICT-673 638.

R10 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

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

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 : TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED FROM
THE KERALA NADVATHUL MUJAHIDEEN EDUCATIONAL BOARD
WITH REGISTRATION NUMBER 552, DATED 24.08.1980 WITH
ENGLISH TRANSLATION.**

**EXHIBIT P2 : TRUE COPY OF THE LAND TAX RECEIPT DATED 06.04.2015 ALONG
WITH ENGLISH TRANSLATION.**

EXHIBIT P3 : TRUE COPY OF THE BUILDING TAX RECEIPT DATED 27.04.2015.

**EXHIBIT P4 : TRUE COPY OF THE POSSESSION CERTIFICATE DATED 06.04.2015
ALONG WITH ENGLISH TRANSLATION.**

EXHIBIT P5 : TRUE COPY OF THE F.I.R.

**EXHIBIT P6 : TRUE COPY OF THE PETITION DATED 05.06.2015 SUBMITTED
BEFORE THE 10TH RESPONDENT ALONG WITH ENGLISH
TRANSLATION.**

EXHIBIT P7 : TRUE COPY OF THE PETITION.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No. 18778 of 2015

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Dated this, the 23rd day of June, 2015

J U D G M E N T

Shaffique, J

Petitioners have approached this Court seeking police protection *inter alia* contending that the functioning of the religious and charitable activities in the building of the petitioner is being prevented by private respondents 1 to 9 and their men. It is stated that religious activities which include classes for enlightening the ladies and other charitable works are being done in the said building, which has been obstructed by respondents 1 to 9. When the obstruction continued, petitioners preferred a compliant before the police and since no action has been taken in the matter, petitioners have approached this Court.

2. Learned State Attorney on instructions submits that there had been law and order situation in between respondents 1 to 9 and the petitioners in regard to the institution being run by the petitioners. Private respondents have also started another activity where religious classes are being taken. They are now

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demanding that a portion of the petitioner's building should be allowed for the purpose of taking classes. This has been objected to by the petitioners which resulted in the law and order situation. It is also stated that three crimes have been registered against the private respondents and one crime against the petitioner. It is further stated that as matters stand now, there is no law and order situation and the police is keeping constant vigil on the activities of the petitioners as well as respondents 1 to 9.

3. Having regard to the nature of the order we intend to pass, no notice is being issued to respondents 1 to 9.

4. Since the police had already taken appropriate measures by conducting enquiry into the allegations raised by the petitioners, we only observe that police shall keep a constant vigil on the activities of the petitioners as well as respondents 1 to 9 and ensure that law and order is maintained.

Writ petition is closed with the above observation.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp