

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:
THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 19619 of 2014 (A)

PETITIONER(S) :

1. LOVELY ELIZABETH GEORGE
W/O.LATE MOHAN GEORGE, VALSA BUNGALOW, HOUSE NO.15
NTV NAGAR, KADAPPAKKADA, KOLLAM-691 008.
2. MEEKHA MEREENA GEORGE AGED 25 YEARS
D/O.LATE MOHAN GEORGE, VALSA BUNGALOW, HOUSE NO.15
NTV NAGAR, KADAPPAKKADA, KOLLAM-691 008.
3. SARAH ANNA GEORGE AGED 22 YEARS
D/O.LATE MOHAN GEORGE, VALSA BUNGALOW, HOUSE NO.15
NTV NAGAR, KADAPPAKKADA, KOLLAM-691 008.
4. PROF.G.GEORGE AGED 90 YEARS
S/O.LATE A.K.GEORGE, VALSA BUNGALOW, HOUSE NO.15
NTV NAGAR, KADAPPAKKADA, KOLLAM-691 008.
5. MARY GEORGE AGED 86 YEARS
W/O.PROF.G.GEORGE, VALSA BUNGALOW, HOUSE NO.15
NTV NAGAR, KADAPPAKKADA, KOLLAM-691 008.

BY ADVS.SRI.P.CHANDRASEKHAR
SRI.S.PRASANTH
SRI.SOORAJ T.ELENJICKAL

RESPONDENT(S) :

1. COMMISSIONER OF POLICE
KOLLAM-691 001.
2. THE SUB INSPECTOR OF POLICE
KOLLAM EAST POLICE STATION, KOLLAM-691 001.
3. ILYAS K. SHAFI
M/S.SCANDI ENTERPIRSES, BEEGESS AUDITORIUM
KUMMIL P.O., KADAKKAL, THIRUVANANTHAPURAM-691 536
4. K.O.PHILIPH
KOLAKKUNNEL HOUSE, DEVANKARA, MALLAPPALLY WEST P.O.
PATHANAMTHITTA DISTRICT-689 585.
5. MR.VARGHESE OOMMEN,
KOLAKKUNNEL HOUSE, ANIKADU P.O.,
MALLAPPALLY, PATHANAMTHITTA DISTRICT-689 585.

WP(C).No. 19619 of 2014

6. MR.R.V.ASHRAF, M/S.BUILTECH MATERIAL AGENCIES,
ALDIERA BUILDING, MANATHALA BEACH,
CHAVAKKAD P.O., THRISSUR DISTRICT - 680 506.

R4 BY ADV. SRI.PRASAD CHANDRAN
R4 BY ADV. SRI.BIJO THOMAS GEORGE
R3,R 5 & 6 BY ADV. SRI.K.B.ARUNKUMAR
R3,R 5 & 6 BY ADV. SRI.A.I.FAISAL
R3,R 5 & 6 BY ADV. SRI.M.P.SHAMEEM AHAMED
R1 AND R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

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

WP(C).No. 19619 of 2014 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1.TRUE COPY OF THE DEATH CERTIFICATE DATED 20/5/2014.

EXT.P2.TRUE COPY OF THE COMPLAINT FILED BY PETITIONERS BEFORE THE 1ST
RESPONDENT DATED 28/7/2014.

EXT.P3.TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONERS BEFORE THE
2ND RESPONDENT DATED 28/7/2014.

RESPONDENT(S) ' EXHIBITS

EXHIBIT R6(a): COPY OF AGREEMENT ENTERED INTO BETWEEN SRI.MOHAN
GEORGE AND 6TH RESPONDENT.

/TRUE COPY/

PS TO JUDGE

ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J

W.P(C).No. 19619 of 2014

Dated this the 7th January, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard learned counsel for the petitioners, learned counsel appearing for respondents 3, 5 and 6 and the learned Government Pleader appearing for respondents 1 and 2.

2. The petitioners by this Writ Petition has prayed for a mandamus directing respondents 1 and 2 to grant adequate police protection to the life and property of the petitioners. The petitioners' case is that the husband of the first petitioner, who was the father of petitioners 2 and 3 and son of petitioners 4 and 5, died and the petitioners are receiving threats at the hands of respondents 3 to 6 alleging that deceased Mohan George owed certain amounts to them due to transaction with deceased Mohan George. The petitioners' case is that they are not aware of any such transaction, nor they are liable for the said transaction. Respondents 3 to 6 admit that they have filed complaints before the Police authorities alleging that Mohan George owed certain amounts to them.

3. Learned counsel for respondents 3 to 6 submits that no threat has been extended by respondents 3 to 6 to the petitioners, but they have filed complaint before the second respondent. A counter affidavit has been filed by respondents 3, 5 and 6 taking the same plea.

4. In view of the fact that the private respondents state that no threat has been given by them and further that they shall take appropriate proceedings only in accordance with law, we see no reason to issue any direction in the Writ Petition. We, however, observe that in the event of any threat or offence against the petitioners, it shall be open for the petitioners to file appropriate complaint before the Police authorities.

With the above observation, the Writ Petition is closed.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs8/1/15