

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 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 22631 of 2013 (D)

PETITIONER(S) :

**JIJO @ JOSEPH, AGED 46 YEARS,
S/O.GEORGE MENACHERY, MENACHERY HOUSE,
OLLUR P.O. AND VILLAGE, THRISSUR TALUK,
THRISSUR DISTRICT, PIN - 680 306.**

**BY ADVS.SRI.M.B.PRAJITH
SRI.AJIT THOMAS**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN CODE- 695 001.**
- 2. THE SUB INSPECTOR OF POLICE,
OLLUR POLICE STATION, OLLUR, THRISSUR DISTRICT,
PIN CODE- 680 306.**
- 3. THE COMMISSIONER OF POLICE,
THRISSUR DISTRICT, PIN CODE- 680 306.**
- 4. ARJUNAN,
PANCHAYATH MEMBER, S/O.BHASKARAN, KOKKANTHARA HOUSE,
NEAR MOOLAYIL ROAD, MARATHAKKARA, PIN CODE- 680 306.**
- 5. SUMESH,
S/O.BHASKARAN, KOKKANTHARA HOUSE, NEAR MOOLAYIL ROAD,
MARATHAKKARA, PIN CODE- 680 306.**
- 6. DIVAKARAN,
S/O.BHASKARAN, KOKKANTHARA HOUSE, NEAR MOOLAYIL ROAD,
MARATHAKKARA, PIN CODE- 680 306.**
- 7. JANARDHANAN,
S/O.BHASKARAN, KOKKANTHARA HOUSE, NEAR MOOLAYIL ROAD,
MARATHAKKARA, PIN CODE- 680 306.**

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- 8. SOJAN,
PANCHAYATH MEMBER (WARD NO.21), VANCHIPURAKKAL HOUSE,
NEAR MOOLAYIL ROAD, MARATHAKKARA, PIN CODE- 680 306.**
- 9. CHIRAYATH JOHNY,
PANCHAYATH PRESIDENT, PUTHOOR, THRISSUR, PIN- 680 301.**

**R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R4 TO R9 BY ADV. SRI.RANJITH XAVIER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: A TRUE COPY OF THE SALE DEED NO.2501/2006 OF PETITIONER'S PROPERTY.

EXHIBIT P2: A TRUE COPY OF THE SKETCH OF THE PETITIONER'S PROPERTY.

EXHIBIT P3: A TRUE COPY OF THE COMPLAINT DATED 02.09.2013 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P4: A TRUE COPY OF THE RECEIPT DATED 02.09.2013 ISSUED BY THE OFFICE OF THE 2ND RESPONDENT.

EXHIBIT P5: A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER DATED 03.09.2013 BEFORE THE 3RD RESPONDENT.

EXHIBIT P6: A TRUE COPY OF THE RECEIPT DATED 03.09.2013 ISSUED BY THE OFFICE OF THE 3RD RESPONDENT.

EXHIBIT P7: A TRUE COPY OF THE PLAINT IN O.S.NO.4224 OF 2013.

EXHIBIT P8: A TRUE COPY OF THE INJUNCTION APPLICATION.

EXHIBIT P9: A TRUE COPY OF THE 1ST COMMISSION REPORT ALONG WITH THE SKETCH FILED BY THE ADVOCATE COMMISSIONER.

EXHIBIT P10: A TRUE COPY OF THE 2ND COMMISSION REPORT FILED BY THE ADVOCATE COMMISSIONER.

EXHIBIT P11: A TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER AGAINST INJUNCTION VIOLATION.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 22631 of 2013

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Dated this, the 4th day of November, 2015

J U D G M E N T

Shaffique, J.

Petitioner has approached this Court seeking for police protection alleging that respondents 5 to 7 are creating obstruction in the matter relating to construction of a compound wall.

2. It is submitted by the learned counsel appearing for the respondents that petitioner had since sold away the property and the cause of action does not survive.

We take on record the above submission and close the writ petition.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp4/11/2015

//True Copy//

PS to Judge