IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 20343 of 2015 (P)

PETITIONER(S) :-

DR.PAUL JAYAN, AGED 70 YEARS
S/O M.M. JOSEPH, EMPLOYED AT MUSCAT
MOOKENCHERIL HOUSE, AMMANKOVIL ROAD
ERNAKULAM -682 035
KANYANNUR TALUK ERNAKULAM DISTRICT
REPRESENTED BY POWER OF ATTORNEY HOLDER AND WIFE
MRS. LOVELY PAUL JAYAN, RESIDING AT MOOKENCHERIL HOUSE,
AMMANKOVIL ROAD, ERNAKULAM-682 035,
KANAYANNUR TALUK, ERNAKULAM DISTRICT

BY ADVS.SRI.N.HARIDAS
SRI.ANTONY MATHEW

RESPONDENT(S) :-

1. **STATE OF KERALA REP. BY THE SECRETARY TO GOVERNMENT**
   HOME DEPARTMENT GOVERNMENT SECRETARIAT
   THIRUVANANTHPURAM, PIN- 695 001

2. **THE CIRCLE INSPECTOR OF POLICE**
   ERNAKULAM TOWN SOUTH POLICE STATION, ERNAKULAM
   PIN- 682 020.

3. **THE SUB INDPOECTOR OF POLICE**
   KADAVANTHRA POLICE STATION, ERNAKULAM 682 020.

4. **THE ASSISTANT EXECUTIVE ENGINEER**
   WATER WORKS & SUB DIVISION KERALA WATER AUTHORITY
   VYOTTILA, ERNAKULAM, KOCHI- 682 020

BY SR.GOVERNMENT PLEADER SRI.C.K.SYAMKUMAR
BY SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 20343 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS :-

EXT.P1: TRUE COPY OF THE POWER OF ATTORNEY DT. 22/6/15 EXECUTED BY THE PETITIONER IN FAVOUR OF HIS WIFE.

EXT.P2: TRUE COPY OF THE WORK ORDER BEARING NO. 804/15 DT. 19/3/15 ISSUYED BY THE 4TH RESPONDENT TO THE PETITIONER.

EXT.P3: TRUE COPY OF THE PROCEEDINGS NO. KRE/1/1568/15 DT. 2/6/15 OF THE CORPORATION OF KOCHI ISSUED TO THE PETITIONER.

EXT.P4: TRUE COPY OF THE COMPLAINT DT. 23/6/15 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT AND COPY OF WHICH SEND TO 3RD RESPONDNET.

EXT.P4(a): TRUE COPY OF THE POSTAL RECEIPT BEARING NO. RL 660960491 IN DT. 24/6/15 FOR HAVING SEND EXT.P4 TO THE 2ND RESPONDENT.

EXT.P4(b): TRUE COPY OF THE PPOSTAL RECEIPT BEARING NO. RL 660960616 IN DT. 24/6/15 FOR HAVING SEND EXT.P4 TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.20343 of 2015

Dated this the 16th day of July 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. By this writ petition, the petitioner has prayed for a direction to respondents 1 to 3 to afford necessary police protection to the petitioner and the employees and contractors of the Kerala Water Authority to enable the contractors of Kerala Water Authority to carry out the laying of pipe line to the building of the petitioner without any hindrance from any persons.

3. Learned Government Pleader points out that the work had to be completed by 12.6.2015, which is clear from Ext.P3. It is submitted that although a complaint was sent by registered post, Ext.P4 dated 23.6.2015, there being no details of location and place, the police authorities could not locate the spot. It is submitted that if there is any undue obstruction, the police authorities shall extend protection for laying the pipe line as sanctioned by the competent authority.

4. We are of the view that ends of justice be served in giving an opportunity to the petitioner to submit appropriate complaint to the 3rd respondent, if there is any obstruction in carrying out the sanctioned work. In such an event, the police authorities shall look into the matter and do the needful.

With the above observation, this writ petition is disposed of.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt