

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

WP(C).No. 20961 of 2014 (U)

PETITIONER(S) :-

SUSAN KAMIL, AGED 42 YEARS
D/O.KULDEEP CHOWDRI SINGH, MANAGING DIRECTOR
BOHEMIAN MASALA, THIRUVAMBADI BEACH ROAD
KURAKKANI JUNCTION, VARKALA
THIRUVANANTHAPURAM DISTRICT, KERALA STATE, PIN-695141.

BY ADVS.SRI.VAKKOM N.VIJAYAN
SMT.V.RENJU
SRI.P.ANIYAN

RESPONDENT :-

1. STATE OF KERALA,
REPRESENTED BY THE HOME SECRETARY TO GOVT.SECRETARIAT
THIRUVANANTHAPURAM, PIN-695101.
2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, VAZHUTHAKKADU,
THIRUVANANTHAPURAM, PIN-695101.
3. THE SUPERINTENDENT OF POLICE (THIRUVANANTHAPURAM RURAL),
KURAVANKONAM, THIRUVANANTHAPURAM, PIN-695001.
4. THE DEPUTY SUPERINTENDENT OF POLICE,
ATTINGAL, THIRUVANANTHAPURAM DISTRICT, PIN-695101.
5. THE SUB INSPECTOR OF POLICE,
VARKALA, THIRUVANANTHAPURAM DISTRICT, PIN-695141.
6. DANESH, S/O MADHAVAN, AGED 32 YEARS, M.S.BHAVAN,
KILITHATTUMUKKU, VARKALA TRIVANDRUM DISTRICT, KERALA.
PIN- 695141.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C) .No. 20961 of 2014 (U)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 COPY OF THE PIO CARD.

EXT.P2 COPY OF THE PETITION DATED 6-7-2014 FILED BEFORE THE
HOME MINISTER AND COPIES OF THAT REPRESENTATION TO RESPONDENTS
2 TO 4 FOR SEEKING POLICE PROECTION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.20961 of 2014

Dated this the 30th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking for the following relief :-

“to issue a writ of mandamus or other appropriate writ direction or order directing respondents 2 - 5 to provide adequate and sufficient police protection to the life and property of the petitioner so as to enable her to land at Varkala, to take appropriate legal remedies to protect her properties.”

It is inter alia stated that the petitioner is a citizen of Denmark and also person of Indian Origin. It is stated that she has acquired 3.25 Acres of land at Varkala Village at Thiruvananthapuram District. She is also conducting a resort under the name, “Bohemian Masala and Gaite Haveli” at Varkala since 2009. The petitioner has also engaged persons to manage the resort while she is not in India. It is submitted that the 6th respondent was a daily wage employee, who was later terminated from service.

2. The petitioner's complaint is that the 6th respondent is obstructing the functioning of the resort whenever she comes at Varkala and obstruction is also being caused while it is being managed by the Manager as well as other employees.

-: 2 :-

3. Though notice was ordered to the 6th respondent, there is no appearance on his behalf.

4. Having regard to the aforesaid factual situation, there will be a direction to the 5th respondent to ensure that no obstruction is being created to the petitioner coming to Varkala and also ensure that no obstruction is being created by the 6th respondent in the matter relating to functioning of the resort by petitioner's employees. This, however, will be subject to any further orders that might be passed by the civil court in the pending matter.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE