

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 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

WP(C).No. 21814 of 2015 (B)

PETITIONER(S):

**ABDUL LATHEEF AGED 56 YEARS
S/O. MUHAMMED, KOLLAMONE VADAKKEKARA HOUSE
MANGODU P.O., PATHANAPURAM VILLAGE, KOLLAM DISTRICT.**

**BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES**

RESPONDENT(S):

- 1. STATE OF KERALA
REP. BY ITS SECRETARY, DEPARTMENT OF HOME
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE CIRCLE INSPECTOR OF POLICE
OFFICE OF THE CIRCLE INSPECTOR OF POLICE
PATHANAPURAM P.O., KOLLAM - 691 518.**
- 3. THE MANAGING DIRECTOR
STATE FARMING CORPORATION OF KERALA, ALIMUKKU, PUNALUR
KOLLAM - 691 305.**

**BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR
R3 BY SMT.LATHA KRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22-07-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 21814 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - TRUE COPY OF THE PHOTOGRAPHS SHOWING THE NATURE AND LIE OF THE PROPERTIES.

P2 - TRUE COPY OF THE PLAINT DT. 17.07.2015 IN OS NO. 343/2015 OF THE MUNSIF COURT, PUNALUR.

P3 - TRUE COPY OF THE DISABILITY CETIFICATE DT. 14.6.91.

P3(A) - TRUE COPY OF THE DISABILITY CERTIFICATE DT. 14.6.91.

RESPONDENT(S)' EXHIBITS NIL

//TRUE COPY//

PS TO JUDGE

Rp

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 21814 of 2015

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Dated this, the 22nd day of July, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioner, learned Government Pleader appearing for respondents 1 and 2 and Smt.Latha Krishnan, learned standing counsel appearing for the 3rd respondent.

2. By this writ petition, petitioner has prayed for a direction commanding the 2nd respondent not to harass and intimidate the petitioner in relation to the issue with regard to a pathway passing through the property of the 3rd respondent, which is the subject matter of Ext.P2 suit.

3. Learned Government Pleader after obtaining instructions submits that the area where the petitioner is claiming pathway is a reserve forest and no right can be claimed by the petitioner. Petitioner has already filed OS No.343/2015 in the Munsiff's Court, Punalur. Petitioner having already approached

W.P(C) No.21814/15

-:2:-

the civil court, we are of the view that this writ petition for police harassment cannot be entertained. It is open for the petitioner to pursue his remedy before the civil court.

With the above observation, this writ petition is dismissed.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge