

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 23767 of 2015 (U)

PETITIONER:

MRS.VASANTHA KUMARI AGED 61 YEARS
S/O.SHANKARAN NAIR, SHILPA BHAVANAM, THALAPPANAMKULLAM
KARAVOOR POST, PIRAVANTHOOR VILLAGE
PATHANAPURAM TALUK, KOLLAM DISTRICT, 689696

BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI.GOVIND PADMANAABHAN
SRI.AJIT G.ANJARLEKAR

RESPONDENTS:

1. THE SUPERINTENDENT OF POLICE (RURAL), KOTTARAKKARA
OFFICE OF THE SUPERINTENDENT OF POLICE, KOTTARAKARA
KOLLAM DISTRICT, 691506
2. THE SUB INSPECTOR OF POLICE
OFFICE OF THE SUB INSPECTOR OF POLICE, PATHANAPURAM
KOLLAM DISTRICT, 689695
3. MR. SURENDRAN,, AGED 65 YEARS
PADAYANIPAARA, KARAVOOR POST PIRAVANTHOOR VILLAGE
PATHANAPURAM TALUK, KOLLAM DISTRICT 689696
4. MRS.INDULEKHA, AGED 35 YEARS
W/O.SHAIJU, SR SADANAM, PADAYANIPAARA
KARAVOOR POST, PIRAVANTHOOR VILLAGE
PATHANAPURAM TALUK, KOLLAM DISTRICT 689696
5. MRS. RENJINI, AGED 35 YEARS
SR.SADANAM, PADAYANIPAARA, KARAVOOR POST
PIRAVANTHOOR VILLAGE, PATHANAPURAM TALUK
KOLLAM DISTRICT 689696
6. MR. SANTHOSH, AGED 48 YEARS
S/O.YESHODHARAN, KALAYIL PUTHEN VEEDU, VALUTHUNDU
KARAVOOR POST, PIRAVANTHOOR VILLAGE
PATHANAPURAM TALUK, KOLLAM DISTRICT 689696
7. JAYAKUMARI
COURT STAFF, MUNISF COURT, PUNALUR
KOLLAM DISTRICT 6891805

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS

- P1: A TRUE COPY OF THE PLAINT IN OS.NO.358/2015 ON FILES OF THE
MUNSIFF COURT, PUNALUR
- P2: A TRUE COPY OF THE COMPLAINT DATED 29.07.2015 SUBMITTED BY THE
PETITIONER BEFORE THE MUNISFF COURT, PUNALUR
- P2 A: A TRUE ENGLISH TRANSLATION OF EXHIBIT P2
- P3: A TRUE COPY OF THE COMPLAINT DATED 30.07.2015 SUBMITTED BY THE
PETITIONER BEFORE THE FIRST RESPONDENT
- P3 A: A TRUE ENGLISH TRANSLATION OF EXHIBIT P3
- P4: A TRUE COPY OF THE RECEIPT DATED 30.07.2015 EVIDENCING THE
FILING OF EXHIBIT P3 COMPLAINT
- P4 A: A TRUE ENGLISH TRANSLATION OF EXHIBIT P4

RESPONDENTS' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.23767 of 2015

Dated this the 11th day of August 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection inter alia contending that respondents 3 to 7 are trespassing into the residential premises of the petitioner and threatening her. They are also attempting to forcibly take away the movables kept in the property.

2. Petitioner submits that she had financial transaction with respondents 3 and 6. Though she had paid the entire amount due to them, still they are demanding huge amounts from the petitioner and for that purpose, they have trespassed into her residential house. Taking into account the forcible action being taken by respondents 3 to 6, petitioner filed O.S.No.358/2015 before the Munsiff Court, Punalur seeking a permanent prohibitory injunction restraining the respondents 3 to 6 from trespassing into the said property and committing mischief therein. The said suit is pending consideration. In the meantime, on 28/07/2015, respondents 3 to 7 have come to the residence of the petitioner and created an untoward scene. Petitioner fears that they may

take law into their hands and her life may be impaired.

3. The learned Government Pleader, on instructions, submits that regarding the incident on 28/07/2015, when request was made by the petitioner, police had rushed to the residence of the petitioner and disbursed the parties. They were asked to appear before the police station. However, petitioner did not appear. Respondents 3 to 7 appeared and they were asked not to create any such situation and not to go to the petitioner's residence. They were also asked to take appropriate legal steps in the matter. It is submitted by the learned Government Pleader that no further untoward incident has been reported.

4. Having regard to the aforesaid factual situation, we do not think it necessary to issue notice to respondents 3 to 7. If any offence is committed or there is attempt to commit offence, it shall always be open for the petitioner to file necessary complaint before the police, who shall look into the matter and take appropriate action, in accordance with law.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

