

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

W.P.(C).No.23798 of 2015 (Y)

PETITIONER(S):-

1. JOHN P.V., AGED 72 YEARS, S/O. VARGHESE,
PARAVALAPPIL HOUSE, POOMARAM STOP,
PORKKULAM P.O., THRISSUR-680 542.
2. GEORGE, AGED 63 YEARS, S/O. KURIAPPAN,
KOZHISSERY HOUSE, PORKKULAM P.O., THRISSUR-680 542.

BY ADV. SRI.P.RAMACHANDRAN.

RESPONDENT(S):-

1. THE SUPERINTENDENT OF POLICE (RURAL), THRISSUR-1.
2. THE CIRCLE INSPECTOR OF POLICE,
KUNNAMKULAM POLICE STATION, KUNNAMKULAM P.O.,
THRISSUR DISTRICT-680 503.
3. THE SUB INSPECTOR OF POLICE,
KUNNAMKULAM POLICE STATION, KUNNAMKULAM P.O.,
THRISSUR DISTRICT-680 503.
- * [4. MATHUKUTTY @ MATHEW,
S/O. KOLLANNUR KOCHU MATHEW, POOMARAM STOP, PORKULAM P.O.,
THRISSUR DISTRICT-680 547] [CAUSE TITLE AMENDED]

* CORRECT ADDRESS:

- R4. MATHUKUTTY @ MATHEW, S/O.KOLLANNUR KOCHU MATHEW,
POOMARAM STOP, PORKULAM P.O., THRISSUR DISTRICT-680547,
REPRESENTED BY GUARDIAN AND WIFE,
MRS.LILLY, W/O.MATHUKUTTY @ MATHEW,
KOLLANNUR HOUSE, POOMARAM, PORKULAM P.O.,
THRISSUR DISTRICT, PIN - 680 547.

* CAUSE TITLE AMENDED AS ABOVE AS PER ORDER DATED 11.08.2015
IN I.A.NO.11729 OF 2015 IN THE W.P.(C).

R1 TO R3 BY SENIOR GOVERNMENT PLEADER SRI.P.FAZIL.
R4 BY ADV. SRI.ALIAS M.CHERIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBIT:-

- EXT.P1 : COPY OF THE MASS PETITION DTD.1.12.2002 SUBMITTED BY THE RESIDENTS NEAR PORKULAM POOMARAM STOP BEFORE 3RD RESPONDENT.
- EXT.P2 : COPY OF THE COMPLAINT DTD.28.12.2013 BY THE LADIES RESIDING NEAR PORKKULAM POOMARAM BEFORE ONE DY.SP VANITHA CELL POLICE STATION, THRISSUR.
- EXT.P3 : COPY OF THE COMPLAINT DTD.27.1.2014 BY THE WIFE OF THE FIRST PETITIONER HEREIN BEFORE THE 3RD RESPONDENT.
- EXT.P4 : COPY OF THE COMPLAINT DTD.25.3.2014 BY THE WIFE OF THE FIRST PETITIONER HEREIN BEFORE THE 3RD RESPONDENT.
- EXT.P5 : COPY OF THE PETITION DTD.24.1.2015 BY THE PETITIONERS BEFORE THE FIRST RESPONDENT.
- EXT.P6 : COPY OF THE COMPLAINT DTD.5.2.2015 BY THE FIRST PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P7 : COPY OF THE WRITTEN REQUEST DTD.18.2.2015 MADE BY THE PRESIDENT OF PORKKULAM GRAMA PANCHAYATH BEFORE THE THIRD RESPONDENT.

RESPONDENT(S)' EXHIBITS/ANNEXURES:-

- ANNEXURE I TRUE COPY OF THE REPORT FORWARDED BY THE SUB INSPECTOR OF POLICE, KUNNAMKULAM.
- ANNEXURE II TRUE COPY OF THE REPORT SUBMITTED BY PSYCHIATRIST DATED 17.08.2015.
- ANNEXURE III TRUE COPY OF THE REPORT SUBMITTED BY PSYCHIATRIST DATED 13.11.2015.
- EXT.R4-A TRUE COPY OF F.I.R.NO.813 DATED 24.3.2014.
- EXT.R4-B TRUE COPY OF COMPLAINT DATED 25.6.2015.
- EXT.R4-C TRUE COPY OF RECEIPT DATED 26.5.2015.
- EXT.R4-D TRUE COPY OF COMPLAINT DATED 25.7.2015.

K. Vinod Chandran, J

W.P.(C).No.23798 of 2015-Y

Dated this the 01st day of December, 2015

JUDGMENT

Considering the report of mental condition of the subject dated 13.11.2015; by the Psychiatrist of the Government Mental Health Centre, Thrissur, the 4th respondent can be released to the custody of his wife. On releasing the subject to the custody of his wife, the hospital shall specifically indicate the medicines to be administered to the patient and the wife shall also be instructed to produce the subject for follow up, as directed by the Psychiatrist. The petitioners shall be entitled to approach the jurisdictional Sub Inspector or this Court, if any recurrence is noticed in the 4th respondent.

The writ petition would stand closed with liberty to the petitioners to move, in case of any further need.

Sd/-

K.Vinod Chandran
Judge.

vku/-

[true copy]