

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 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 25032 of 2015 (D)

PETITIONER:

**SAIDALAVI, S/O.MOIDEEN, AGED 64 YEARS,
PATTAYIL HOUSE, KUMMINIPARAMBA P.O.,
KOONOOMADU, MALAPPURAM DISTRICT- 673 638,
(KARIPPUR POLICE STATION LIMIT).**

**BY ADVS.DR.V.N.SANKARJEE,
SRI.V.N.MADHUSUDANAN,
SRI.S.SIDHARDHAN,
SMT.C.K.LEKHAMMA,
SMT.R.UDAYA JYOTHI,
SMT.M.SUSEELA,
SMT.MARY JOHN.**

RESPONDENTS:

- 1. THE DISTRICT POLICE CHIEF,
MALAPPURAM- 676 505.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
KONDOTTY, MALAPPURAM- 673 638.**
- 3. THE SUB INSPECTOR OF POLICE,
KARIPPUR- 673 638, MALAPPURAM DISTRICT.**
- 4. MUJEEB RAHMAN, S/O.MOHAMMED HAJI,
AGED 26 YEARS, PATTAYILMADU HOUSE,
KUMMINIPARAMBA P.O., KOONOOMADU
MALAPPURAM DISTRICT- 673 638.**
- 5. MOHAMMED HAJI, S/O.MOIDEEN, AGED 66 YEARS,
PATTAYILMADU HOUSE, KUMMINIPARAMBA P.O.,
KOONOOMADU, MALAPPURAM DISTRICT- 673 638.**

R1 TO R3 BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

P1:- TRUE COPY OF THE MEDICAL RECORDS.

**P2:- TRUE COPY OF THE POSSESSION CERTIFICATE DTD. 22/06/2015
ISSUED BY THE VILLAGE OFFICER (WITH ENGLISH TRANSLATION).**

**P3:- TRUE COPY OF THE BUILDING PERMIT DTD. 19/12/2014 ISSUED BY
THE PANCHAYATH.**

P3(A):-TRUE COPY OF THE BUILDING PLAN.

**P4:- TRUE COPY OF THE COMPLAINT DTD. 04/08/2015 SUBMITTED BY THE
PETITIONER TO THE 3RD RESPONDENT (WITH ENGLISH TRANSLATION).**

**P5:- TRUE COPY OF COMPLAINT DTD. 04/08/2015 SUBMITTED BY THE
PETITIONER TO THE 1ST RESPONDENT (WITH ENGLISH TRANSLATION).**

**P6:- TRUE COPY OF THE POSTAL RECEIPT WITH ACKNOWLEDGEMENT
CARD IN RESPECT OF EXT P5.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.25032 of 2015

Dated this the 18th day of August 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection alleging that respondents 4 and 5 are obstructing the petitioner from making construction in his property having an extent of 24.86 cents in Sy.No.141/1 of Pallikkal village. It is stated that respondents 4 and 5, with the support of certain persons, had forcibly obstructed the petitioner at the public road and the vehicle carrying building materials to the site and heavy equipments have been stopped. Though complaint was given to the police, no action has been taken in the matter and hence the petitioner has approached this Court.

2. The learned Government Pleader, on instructions, submits that, on the basis of the complaint given by the petitioner, petitioner as well as respondents 4 and 5 were summoned to the police station. Respondents 4 and 5 were asked not to create any obstruction to the building being

constructed by the petitioner in the petitioner's property. They have agreed not to create any law and order situation. It is also submitted that if at all there is any obstruction, police shall render necessary protection.

3. We take on record the aforesaid submission of the learned Government Pleader and therefore we do not think that any direction, as sought for, is required to be passed. If any offence is committed or there is any 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 disposed of.

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

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

jsr

