

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 26247 of 2015 (E)

PETITIONER(S) :-

THE ULLOOR NEERAZHI MADAN THAMPURAN TRUST
ULLOOR, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM REPRESENTED BY ITS
SECRETARY NEERAZHI ANIL ALIAS ANIL K., AGED 44 YEARS,
S/O.KRISHNANKUTTY, RESIDING AT THEKKATHIL NEITHUSHALA,
NEERAZHI LANE, ULLOOR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695 011.

BY ADV. SMT.ROHINI V.MENON

RESPONDENT(S) :-

1. THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE, VAZHUTHACAUD
THIRUVANANTHAPURAM DISTRICT-695014.
2. THE CIRCLE INSPECTOR OF POLICE
MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.
3. THE SUB INSPECTOR OF POLICE
MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM DISTRICT-695011.
4. R.PREMKUMAR, S/O.RAGHUNATHAN, TACHANVILA PUTHENVEEDU,
NEERAZHI LANE, ULLOOR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.
5. MADHUSOODANAN, S/O.SOMAN, PRIYADARSHINI NAGAR,
AAKKULAM ROAD, ULLOOR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.
6. SATHEESH, MELEVILAMBATHU VEEDU, SAYOOJYAM,
ULLOOR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.

7. MOHANDAS, S/O.RAGHUNATH, JOLLY BHAVAN,
VATTAVILAKAM VEEDU, ULLOOR, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.

8. BALACHANDRAN
S/O.CHAKRAPANI, KEZHUVANKARA, NEERAZHI LANE
MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM DISTRICT-695011.

R4-R8 BY ADV. SRI.RAJESH P.NAIR

R1-R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF TAX RECEIPT No.2649577 DATED 01/07/2013 ISSUED BY THE VILLAGE OFFICER, CHERUVAYKKAL.

EXT.P2 :- TRUE COPY OF THE COMPLAINT DATED 22/08/2015 FILED BEFORE THE SECOND RESPONDENT.

EXT.P3 :- TRUE COPY OF THE COMPLAINT DATED 22/08/2015 FILED BEFORE THE THIRD RESPONDENT.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

**ASHOK BHUSHAN, C.J &
K. VINOD CHANDRAN, J.**

W.P.(C) No.26247 of 2015

Dated this the 17th day of September 2015

J U D G M E N T

Vinod Chandran, J.

The petitioner is a trust, which claims absolute possession and enjoyment over a property, in which, a private temple is said to be carried on. The petitioner is before this Court contending that respondents 4 to 8 are obstructing the devotees and creating situations causing damage to the property of the temple.

2. The learned counsel appearing for respondents 4 to 8 would however submit that the management of the trust is inextricably linked with the SNDP Yogam, which functions in an adjacent office and that the Secretary elected to the SNDP Yogam is the Secretary of the temple trust.

3. However, those are all civil disputes, which, this Court would not go into, especially in a police protection matter. The learned counsel for the respondents also submits that no obstruction would be caused to the devotees and that respondents 4 to 8 or their men will not commit any waste in the property.

4. If any law and order situation arises, definitely, the

W.P.(C) No.26247 of 2015

-: 2 :-

petitioner would be entitled to move the concerned police authorities, who will definitely look into the situation and avert commission of any offence.

Recording the submission made by the learned counsel for respondents 4 to 8 and with the above observation, the writ petition would stand closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
K. VINOD CHANDRAN
J U D G E

Jvt