

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

WP(C).No. 26513 of 2014 (L)

PETITIONER(S):

- 1. MUSTHAFA MUHAMMED K.P.,EXPRESS TOWER,
P.O.CHALAPPURM, KOZHIKODE.**
- 2. HANI MUSTHAFA, EXPRESS TOWER,
P.O CHALAPPURAM, KOZHIKODE.**

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENT(S):

- 1. SUB INSPECTOR OF POLICE,
CHEVAYUR POLICE STATION, CHEVAYUR,
KOZHIKODE DISTRICT - 673 017.**
- 2. CIRCLE INSPECTOR OF POLICE,
CHEVAYUR POLICE STATION, CHEVAYUR,
KOZHIKODE DISTRICT - 673 017.**
- 3. DISTRICT POLICE CHIEF,
KOZHIKODE - 673 001.**
- 4. MR.SOMI CHERIAN,S/O.CHERIYAN, AFED 52 YEARS,
UNNI RARICHAN VEEDU PARAMBA,
CHEVAYUR AMSAM DESAM,SUB STATION ROAD P.O
CHEVAYUR, CALICUT - 673 017.**
- 5. MR.M.J ANANTHANARAYAN,
S/O.M.V JANARDHANAN, AGED 44 YEARS,
UNNI RARICHAN VEEDU PARAMBA,
CHEVAYUR AMSAM DESAM, SUB STATION ROAD P.O
CHEVAYUR, CALICUT - 673 017.**
- 6. MRS. K.RAJALAKSHMI,
W/O. M.J ANANTHANARAYANA,AGED 44 YEARS,
UNNI RARICHAN VEEDU PARAMBA,
CHEVAYUR AMSAM DESAM, SUB STATION ROAD P.O
CHEVAYUR, CALICUT- 673 017.**

WP(C).No. 26513 of 2014 (L)

7. MR.K GOKULANATHAN, S/O.GOPALA PANICKAR,
AGED 61 YEARS, UNNI RARICHAN VEEDU PARAMBA,
CHEVAYUR AMSAM DESAM,SUB STATION ROAD P.O
CHEVAYUR, CALICUT- 673 017.

8. MRS. P.P SOBHANA,
W/O.GOKULANATHAN, AGED 58 YEARS,
UNNI RARICHAN VEEDU PARAMBA,
CHEVAYUR AMSAM DESAM, SUB STATION ROAD P.O
CHEVAYUR, CALICUT - 673 017.

R1 TO R3 BY SENIOR GOVT. PLEADER SRI.C.R.SYAMKUMAR
R4 TO R6 BY ADVS. SRI.DINNY THOMAS
SRI.JAISHANKAR V.NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE JUDGMENT OF THE II ADDITIONAL DISTRICT COURT, KOZHIKODE IN A.S.NO.56/2010, DATED 30.10.2013.
- EXT. P1(A) : TRUE COPY OF THE REPORT AND SKETCH SUBMITTED BY THE EXPERT AND ADVOCATE COMMISSIONER IN OS.NO.539/2007 ON THE FILE OF THE PRINCIPAL MUNSIF COURT-II, KOZHIKODE.
- EXT. P2 : TRUE COPY OF THE LETTER DATED 7.6.2014 SUBMITTED BY THE 3RD PETITIONER TO THE 1ST RESPONDENT.
- EXT. P3 : TRUE COPY OF THE PERMIT ISSUED TO THE 1ST PETITIONER.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.26513 of 2014

Dated this the 26th day of November 2015

J U D G M E N T

Shaffique, J

Petitioners have approached this Court seeking police protection inter alia alleging that obstruction is being caused by respondents 4 to 8 in the matter relating to construction of a compound wall in terms of Ext.P3 permit.

2. It is submitted by the learned counsel for the petitioners that a suit has been filed and a decree has been passed, which is produced as Ext.P1. Necessary steps have already been taken for executing the decree as well.

Under such circumstances, we do not think that there is any necessity to issue any direction, as prayed for. Hence, we close this writ petition with liberty to the petitioners and respondents 4 to 8 to approach the Civil Court for appropriate relief.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/26/11/2015