

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 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 27195 of 2015 (Y)

PETITIONER(S) :

1. RENJITH RAMANAN AGED 27 YEARS
S/O.RAMANAKUMAR P.N., CHETTIKKATTU HOUSE, AYMANAM PO
KOTTAYAM DISTRICT.

2. ARUNKUMAR AGED 29 YEARS
S/O.SURESH BABU, EDOOR HOUSE, VELLOOR PO
KOTTAYAM DISTRICT.

3. ATHUL P.BAIJU AGED 23 YEARS
S/O.BAIJU M.N., PANCHERIYIL HOUSE, CHENGALAM PO
KOTTAYAM DISTRICT.

BY ADVS.SRI.K.M.SATHYANATHA MENON
SRI.A.SANTHOSHKUMAR
SMT.KAVERY S THAMPI

RESPONDENT(S) :

1. THE DEPUTY SUPERINTENDENT OF POLICE,
KOTTAYAM DISTRICT, PIN-686 001.

2. THE SUB INSPECTOR OF POLICE
KOTTAYAM WEST POLICE STATION, KOTTAYAM DISTRICT
PIN-686 003.

3. THE DIRECTOR GENERAL OF POLICE, KERALA,
OFFICE OF THE DIRECTOR GENERAL OF POLICE
THIRUVANANTHAPURAM-695 001

4. JAYAN @ ANI
S/O.SANKARA PILLAI, KOTTAYIL HOUSE, KUDAMALLOOR PO
KOTTAYAM DISTRICT, PIN-686 017.

5. SAJITH KUMAR
S/O.CHANDRA SEKARAN PILLAI, CHANDRALAYAM, THAZHATHU
PATTAZHI, VADAKKEKARA VILLAGE, KOLLAM-691 522.

6. GOPAKUMAR
S/O.SANKARA PILLAI, KOTTAYIL HOUSE, KUDAMALLOOR PO
KOTTAYAM DISTRICT, PIN-686 017.

7. HARI
S/O.GOPALA KRISHNAN, THURITHUKATTU, KUMMANAM
KOTTAYAM DISTRICT, PIN-686 035.

8. ARJUN S.NAIR
S/O.ANIL KUMAR, PULICKAL HOUSE
NEAR IRVEESWARAM TEMPLE, KUDAMALLOOR, AYYMANAM
KOTTAYAM-686 017.

9. JAYAKUMAR @ JAYAN
S/O.CHANDRASEKARAN NAIR, ANJANAM HOUSE, CHENGALAM
KOTTAYAM DISTRICT, PIN-686 585.

10. OMANAKUTTAN
S/O.VELU ASSARI, EDAPARAMBIL HOUSE, OLLASA PO
KOTTAYAM DISTRICT, PIN-686 014.

11. SMITESH
S/O.KUNJUMON, MAMBALLIL HOUSE, MARYATHURUTHU PO
KOTTAYAM DISTRICT, PIN-686 608.

12. SAJI P.
PARAYIL HOUSE, KUDAMALLOOR PO, KOTTAYAM DISTRICT
PIN-686 017.

13. JAYAKRISHNAN
S/O.GOPALAKRISHNAN, THURITHIKKADU HOUSE, KUMMANAM
KOTTAYAM DISTRICT, PIN-686 035.

14. VIJILAL
S/O.VIJAYAN, KUNATHU VEETIL, OLLASA PO
KOTTAYAM DISTRICT, PIN-686 014.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 27195 of 2015 (Y)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 : TRUE COPY OF THE DISCHARGE CARD ISSUED FROM THE MEDICAL COLLEGE HOSPITAL, KOTTAYAM IN FAVOUR OF THE 3RD PETITIONER.

P2 : PHOTOGRAPH EVIDENCING THE ATTACK WHICH WAS COMMITTED ON THE 3RD PETITIONER.

P3 : TRUE COPY OF THE COMPLAINT BEFORE THE 1ST AND 2ND RESPONDENTS

P4 : TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE.

P4(A) : ENGLISH TRANSLATION OF EXT P4.

P5 : TRUE COPY OF THE MASS PETITION SUBMITTED BEFORE THE SUPERINTENDENT OF POLICE DATED 7-9-2015.

P5(A) : ENGLISH TRANSLATION OF RELEVANT PORTION OF EXT P5

P6 : TRUE COPY OF THE RECEIPT ISSUED FROM THE OFFICE OF THE DISTRICT POLICE, KOTTAYAM

P6(A) : ENGLISH TRANSLATION OF EXT P6.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.

W.P.(C) No. 27195 OF 2015

Dated this the 15th day of September, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioners and learned Government Pleader. No notice is being issued to respondent Nos.4 to 14 in view of the order which is being passed.

2. By this writ petition, the petitioners have prayed for a direction to respondents 1 to 3 to provide adequate and sufficient police protection to the life of the petitioners from respondents 4 to 14. Petitioners' case is that an incident occurred on 23.08.2015 in which the third petitioner was attacked and he had to undergo a surgery in his right hand. The allegation is that constant threats are being received by the petitioners from respondents 4 to 14.

3. Learned Government Pleader after obtaining instructions submitted that on a complaint received from the petitioners, FIR Nos.1144/2015 and 1152/2015 have already

been registered against 11 persons. Learned Government Pleader further submits that police is already keeping a vigil and police patrolling is going on.

4. In the above view of the matter, when crimes have already been registered and police patrolling is going on, we see no reason to entertain this writ petition. We, however, observe that in the event, any offence is committed or there is any attempt to commit offence including threat to the life of the petitioners, it is always open for the petitioners to file appropriate complaint before the 2nd respondent, who may look into the same and do the needful in accordance with law.

With the above observation the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

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