

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 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

WP(C).No. 29978 of 2013 (V)

PETITIONER(S) :

BILICHOLISKI WITOLD
WITEK'S WINTER HOME, VAZHAVILAKOM, LIGHT HOUSE BEACH
KOVALAM, TRIVANDRUM, 2 CHANDRAMONY
W/O.BIELICHOWSKI WITHOLD, WITEK'S WINTER HOME
VAZHAVILAKOM, LIGHT HOUSE BEACH, KOVALAM
TRIVANDRUM.

BY ADV. SRI.M.R.SARIN

RESPONDENT(S) :

1. THE CIRCLE INSPECTOR OF POLICE
VIZHINJAM, VIZHINJAM CIRCLE OFFICE
THIRUVANANTHAPURAM DISTRICT-695003.

2. THE SUB INSPECTOR OF POLICE,
KOVALAM POLICE STATION, THIRUVANANTHAPURAM-695006.

3. SIVASANKARAN,
S/O.DAMODARAN, CHARUVILA PUTHANVEEDU, VAZHAMUTTOM
PACHALLOOR P.O., TRIVANDRUM-695012.

4. MOHAN @ ANIL,
S/O.DAMODARAN, CHARUVILA PUTHANVEEDU, VAZHAMUTTOM
PACHALLOOR P.O., TRIVANDRUM-695012.

Addl.5. SMT.BABY
D/O.DAMODARAN, CHARUVILA PUTHANVEEDU, VAZHAMUTTOM
PACHALLOOR.P.O., TRIVANDRUM.ADDL.

R5 IS IMPEADED AS PER ORDER DATED 18/12/2013 IN IA 17235/2013.

R3-R4 BY ADV. SRI.S.MOHAMMED AL RAFI
R1 AND R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

P1: COPY OF THE DIVORCE DECREE BETWEEN THE 1ST PETITIONER AND BABY OF STOCKHOLM CITY COURT IN SWEDAN.

P2: COPY OF THE CERTIFICATE OF MARRIAGE BETWEEN 1ST PETITIONER AND 2ND PETITIONER ISSUED BY THE MARRIAGE OFFICER THIRUVALLAM.

P3: COPY OF THE SALE DEED EXECUTED BETWEEN THE 1ST PETITIONER SMT.BABY AND THANKAPPAN ON 22.3.1997 AT SUB REGISTRAR OFFICE THIRUVALLAM.

P4: COPY OF RESIDENTIAL/OWNERSHIP CERTIFICATE ISSUED BY THE VIZHINJAM GRAMA PANCHAYAT TO THE 1ST PETITIONER ON 31.12.2005.

P5: COPY OF TAX RECEIPT ISSUED BY THE VIZHINJAM VILLAGE OFFICE ON 27.10.2013.

P6: COPY OF COMPLAINT GIVEN BY THE PETITIONERS TO THE 1ST RESPONDENT.

P7: COPY OF THE COMPLAINT GIVEN BY THE PETITIONERS TO THE 2ND RESPONDENT.

RESPONDENT(S) ' EXHIBITS

EXHIBIT R3(a): COPY OF ORDER DATED 6.8.2009 IN O.P.(IDA) 296/2005 ON THE FILE OF FAMILY COURT, THIRUVANANTHAPURAM.

EXHIBIT R3(b): COPY OF ORDER DATED 18.10.2013 IN I.A.NO.5713/13 IN O.S.NO.966/13 ISSUED BY THE PRINCIPAL MUNSIF COURT, NEYYATTINKARA.

EXHIBIT R3(c): COPY OF COMPLAINT SUBMITTED BEFORE 2ND RESPONDENT.

/TRUE COPY/

PS TO JUDGE

**ASHOK BHUSHAN, CJ
&
A.M.SHAFFIQUE, J**

W.P(C).No. 29978 of 2013

Dated this the 2nd July, 2015

JUDGMENT

Shaffique, J.

This Writ Petition is filed seeking Police protection, inter alia contending that the first petitioner is a Swedish citizen and the second petitioner is his wife. They got married on 26.2.2005. They apprehend that their peaceful residence would be hampered by respondents 3 to 5, who has been threatening the petitioner that they will be killed unless the property is transferred by the first petitioner in the name of respondents 3 and 4.

2. Learned counsel for respondents 3 and 4 submits that the additional fifth respondent is in Sweden and the allegation is absolutely baseless.

3. This Writ Petition was filed in the year 2013 and until now, no untoward incident is reported.

We do not think it necessary to issue any direction as prayed for. The Writ Petition is dismissed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs2/7/15