

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

WP(C).No. 27983 of 2015 (W)

PETITIONER:

1. ARIFA, AGED 38 YEARS,
W/O. ABDUL NAZAR, PALLIYALIL HOUSE, VALIYAKUNNU P.O.
VALANCHERY, MALAPPURAM.
2. ABDUL NAZAR, AGED 43 YEARS,
S/O. MUHAMMED, PALLIYALIL HOUSE, VALIYAKUNNU P.O.
VALANCHERY, MALAPPURAM.

BY ADVS.SRI.SAJU J PANICKER
SRI.T.M.SUBHASH
SRI.G.PRIYADARSAN THAMPI

RESPONDENTS:

1. THE DISTRICT POLICE CHIEF,
MALAPPURAM.
2. THE SUB INSPECTOR OF POLICE,
VALANCHERRY, MALAPPURAM.
3. ABDUL RAUF, AGED 45 YEARS,
S/O. MUHAMMED, PALLIYALIL HOUSE, KODUMUDI,
VALIYAKUNNU P.O., VALANCHERI VAZHI, MALAPPURAM,
PIN-676552.
4. MUHAMMED KUTTY, AGED 37 YEARS,
S/O. MUHAMMED, PALLIYALIL HOUSE, KODUMUDI,
VALIYAKUNNU P.O., VALANCHERI VAZHI, MALAPPURAM,
PIN-676552.
5. MARAKKAR ALI, AGED 37 YEARS,
S/O. IBRAHIM, PALLIYALIL ONIYOTTIL, KODUMUDI,
VALIYAKUNNU P.O., VALANCHERI VAZHI, MALAPPURAM,
PIN-676552.

PJ

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**6. AYOOB C.P., AGED 50 YEARS,
S/O. MAMMY, CHOLETHUDIYIL PERUNGATHUKODI, IRIMBILIYAM
VALANCHERI VAZHI, MALAPPURAM, PIN-679572.**

R1 & 2 BY SENIOR GOVERNMENT PLEADER SRI.P.I.DAVIS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 27983 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- THE TRUE COPY OF THE RECEIPT DATED 21-08-2015 ISSUED BY THE
2ND RESPONDENT AND ITS TRUE TRANSLATION.**

**EXHIBIT P2- THE TRUE COPY OF THE DISCHARGE CARD ISSUED FROM
NADAKKAVIL HOSPITAL, MALAPPURAM.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 27983 of 2015

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Dated this, the 23rd day of September, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioners and the learned Government Pleader appearing for respondents 1 and 2. No notice is being issued to respondents 3 to 6 in view of the judgment which is being passed.

2. By this petition, petitioners have prayed for a direction to respondents 1 to 2 to afford adequate and effective police protection to the petitioners and their property. Petitioners' case is that after purchase of the property by the petitioners, respondents 3 and 4 demanded that they should also be allowed to use the pathway. First petitioner denied the request. Allegations have been made against the private respondents that they have destroyed and dismantled the wiring. Petitioners' further submit that in the CC TV Camera installed in the house, these scenes were recorded and they have submitted it to the

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police authorities and no action has been taken.

3. Learned senior Government Pleader after obtaining instructions submits that dispute between the petitioners and the private respondents is regarding use of a pathway. It is submitted that police authorities are taking all steps to ensure maintenance of law and order.

In view of the aforesaid, we close the writ petition with the observation that in the event any offence is committed or attempted, it shall be open for the petitioners to file appropriate complaint, which will be looked into.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

23/09/2015

//True Copy//

PS to Judge