

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 28500 of 2015 (J)

PETITIONER:

**K. RAJESH AGED 42 YEARS
S/O. GOPINATHAN, AGRICULTURIST,
RESIDING AT KANNOTH HOUSE, THILLANKERI P.O., 670 702
MATTANNUR, THALASSERY TALUK, KANNUR DISTRICT**

BY ADV. SRI.R.SURENDRAN

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM 695 001.**
- 2. SUB INSPECTOR OF POLICE, IRITTY,
KANNUR DISTRICT 670 702**
- 3. THE CIRCLE INSPECTOR OF POLICE, IRITTY,
KANNUR DISTRICT 670 702**
- 4. THE DISTRICT POLICE CHIEF, KANNUR,
KANNUR DISTRICT 670 002.**
- 5. M.C. VENU,AGED 45 YEARS, S/O. KRISHNAN,
SARIGA NIVAS, KAYAKAD, KARKODE, P.O. THILLANKERI 670 702
KANNUR DISTRICT**
- 6. K. SURESH, AGED 44 YEARS, S/O. PAVITHRAN
REKHA NIVAS, KARKODE, P.O. THILLANKERI 670 702 KANNUR DISTRICT**
- 7. K. RAJISH, AGED 28 YEARS, S/O. RAVEENDRAN,
REKHA NIVAS, KARKODE, P.O. THILLANDER 670 702 KANNUR DISTRICT**
- 8. P. SANTHOSH KUMAR, AGED 31 YEARS
S/O. GOVINDAN, KUNDULLA PARAMBA HOUSE,
KARKODE, P.O., THILLANKERI 670 702, KANNUR DISTRICT**

9. C.M. BABU AGED 38 YEARS, S/O. KRISHNAN NAIR,
KARIYIL HOUSE, KARKODE, P.O. THILLANKERI 670 702, KANNUR DISTRICT
10. K.P. RAGHAVAN, S/O. GOVINDAN,
KUNDULLA PARAMBA HOUSE, KARKODE P.O. THILLANKERI 670 702
KANNUR DISTRICT
11. K.P. GANGADHARAN, AGED 46 YEARS,
S/O. GOVINDAN, PALLYARKHNDAM, KARKODE, P.O. THILLANKERI 670 702
KANNUR DISTRICT

R1 TO R4 BY SR. GOVERNMENT PLEADER SRI.C.R. SHYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

- P1 : TRUE COPY OF THE NOTICE DATED 13.7.2011 ISSUED BY THE PANCHAYAT TO THE PETITIONER ALONG WITH ENGLISH TRANSLATION
- P2 : TRUE COPY OF THE REPLY DATED 18.7.2011 SUBMITTED BY THE PETITIONER BEFORE THE PANCHAYAT ALONG WITH ENGLISH TRANSLATION
- P3 : TRUE COPY OF THE ORDER DATED 20.7.2011 ISSUED BY THE PANCHAYAT TO THE PETITIONER ALONG WITH ENGLISH TRANSLATION
- P4 : TRUE COPY OF THE INTERIM ORDER DATED 23.9.2011 ISSUED BY THIS HONOURABLE COURT IN W.P.(C) NO.19958 OF 2011
- P5 : TRUE COPY OF COMPLAINT DATED 3.9.2015 FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT
- P5(A) : TRUE ENGLISH TRANSLATION OF THE COMPLAINANT DATED 3.9.2015 FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT
- P6 : TRUE COPY OF THE RECEIPT DATED 3.9.2015 ISSUED BY THE SECOND RESPONDENT ON 4.9.2015
- P6(A) : TRUE COPY OF THE ENGLISH TRANSLATION OF RECEIPT DATED 3.9.2015 ISSUED BY THE SECOND RESPONDENT ON 4.9.2015

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

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

W.P.(C) No. 28500 of 2015 (J)

Dated this the 18th day of September, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioner and the learned Government Pleader. No notice need be issued to private respondents in view of the nature of Judgment being passed in the Writ Petition.

2. By this writ petition the petitioner has prayed for police protection with regard to his properties situated in R.S. No.26/2 and 8/1 of Tillankeri Village. The petitioner's case is that he has been running a pig farm in his property and the Police had directed the petitioner to stop the running of the pig farm. The petitioner's case is that now, the petitioner, by force, has been stopped from running his pig farm. He has come up in the writ petition seeking a direction . He submits that under the Kerala Panchayat Raj

(Licensing of Livestock Forms) Rules, 2012, a person is liable to take license only if there are more than five pigs, whereas he has only five pigs. All the aforesaid issues are issues of fact, which cannot be adjudicated in a writ petition for police protection.

3. It is open for the petitioner to take appropriate proceedings before the Civil Court or other competent authority, as has been advised. We do not find anything in the present case for issuing any direction for police protection.

The writ petition would stand closed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
K.VINOD CHANDRAN,
JUDGE