

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29268 of 2015 (G)

PETITIONER(S):

**MARIAMMA JOSEPH, AGED 63 YEARS,
W/O.JOSEPH, RESIDING AT PUTTANANIKKAL VEETIL,
CHEMBALAM P.O-685553, KALKUNTHAL VILLAGE,
NEDUMKANDAM P.O., UDUMBANCHOLA TALUK, IDUKKI DISTRICT.**

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY THE SECRETARY,
DEPARTMENT OF HOME, GOVERNMENT SECRETARIAT ANNEX,
TRIVANDRUM-95001.**
- 2. CIRCLE INSPECTOR OF POLICE, NEDUMKANDAM POLICE STATION,
IDUKKI DISTRICT, PIN-685553.**
- 3. SUB INSPECTOR OF POLICE, NEDUMKANDAM POLICE STATION,
IDUKKI DISTRICT, PIN-685553.**
- 4. JACOB OUSEPH, AGED 58 YEARS, RESIDING AT PUTTANANIKKAL HOUSE,
CHEMBALAM P.O.-685553, NEDUMKANDAM P.O., IDUKKI DISTRICT.**
- 5. SHIJU THANKADAIPURAM, PATHADI, NEDUMKANDAM P.O.,
IDUKKI DISTRICT-685553.**
- 6. TOMY NEDUMBANTHALIL, RESIDING AT CHEMBAKAPPARA,
NEDUMKANDAM P.O., IDUKKI DISTRICT-685553.**

**R1-R3 BY ADV. SRI.BABU VARGHESE, ADDL. ADVOCATE GENERAL
R1-R3 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 29268 of 2015 (G)

APPENDIX

PETITIONERS' EXHIBITS

**EXT.P1: TRUE COPY OF THE REPRESENTATION DATED 16/8/15 SUBMITTED BY
THE PETITIONER BEFORE THE R2 & R3**

**EXT.P2: TRUE COPY OF THE REMINDER DATED 15/9/15 SUBMITTED BY THE
PETITIONER TO THE R2 AND R3.**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.29268 of 2015

Dated this the 28th day of September 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection inter alia contending that 4th respondent along with his henchmen are attempting to threaten the petitioner and her family members and are trying to manhandle them. Though complaints were given to the police, no action has been taken by the police. Hence this writ petition is filed.

2. The learned Government Pleader, on instructions, would submit that based on Exts.P1 and P2 complaints, parties were summoned and they were asked to maintain peace. It is stated that, the petitioner had disconnected the electricity supply to the residence of the 4th respondent which resulted in quarrel between the parties. 4th respondent is the brother of the petitioner's husband.

3. It is clear from the factual situation as narrated in the writ petition that a civil dispute with respect to property is

pending between the parties. Police can interfere only if any offence is committed or there is any attempt to commit offence. Police cannot interfere in resolving any civil dispute between the parties. Under such circumstances, we do not think that the petitioner is entitled for any direction, as sought for. We only observe that if any offence is committed or there is any attempt to commit offence, it is always open for the petitioner to file necessary complaint before the police who shall look into the matter and take appropriate action, in accordance with law.

With the above observation, this writ petition is closed.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr/28/09/2015

