

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 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29827 of 2015 (C)

PETITIONER(S):

ANANDHAVALLY AGED 72 YEARS
W/O LATE LAMBODHARAN, KONATHU PUTHEN VEEDU
KALPPILA WARD, ODANAVATTOM VILLAGE, KOLLAM

BY ADVS. SRI. K. S. RAJEEV (ALUVA)
SMT. DHANYA MOHAN

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY SECRETARY (LAW AND ORDER)
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001
2. THE SUPERINTENDENT OF POLICE
KOLLAM RURAL, KOTTARAKKARA-691506
3. CIRCLE INSPECTOR OF POLICE
POOYAPILLY POLICE STATION, POYAPPILLY-691 537
4. VAISAKH, AGED 24,
S/O LATE VISWAMBHARAN, THANNIVILA VEEDU, CHEPRA PO,
ODANAVATTOM VILLAGE, KOLLAM-691 512

R1-3 BY SR. GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29827 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THEJUDGMENT IN AS 77/01 OF SUB-COURT,KOTATRAKARA
DATED 29/3/10

EXT.P2: TRUE COPY OF THE COMPLAINT SUBMITTED TO SUPERINTENDENT OF
POLICE KOTTARAKARA DATED 26/9/15 WITH ENGLISH TRANSLATION

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

Sou.

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

W.P(C). No. 29827 of 2015

Dated this the 1st October, 2015

JUDGMENT

Shaffique, J

Petitioner has approached this court seeking police protection. It is inter alia contended that there was some civil dispute between the petitioner and the family members, which ultimately resulted in judgment dated 29.3.2010 in A.S. No.77 of 2001, by which the suit O.S. No.629 of 1997 has been dismissed setting aside the judgment passed by the trial court.

2. The complaint of the petitioner is that the fourth respondent, under the influence of alcohol, is unnecessarily interfering the rightful enjoyment and functioning of the tea shop, she is conducting. It is also submitted that the fourth respondent has cut and removed certain trees standing in the property.

3. Learned Government Pleader on instructions submits that after the judgment in the appeal, the petitioner and the fourth respondent who are relatives have amicably settled the property dispute and later on the present dispute has arisen. There is no

untoward incident reported in order to take any action under the criminal law. Police cannot interfere in the civil dispute.

4. Such being the facts the petitioner is not entitled for the reliefs, as prayed for. We only observe that, in the event of any offence is committed or there is any attempt to commit offence, on the complaint of the petitioner, the police will enquire into the matter and do the needful.

The writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFIQUE,
JUDGE

// TRUE COPY //

sou.1/10/15