

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 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 30409 of 2014 (A)

PETITIONER :

NISHI JOSEPH, AGED 37 YEARS
DAUGHTER OF LATE SRI T.J. JOSEPH
RESIDING AT VADASSERY HOUSE, NEW YEAR ROAD, PONNURUNNI
VYTILA P.O, ERNAKULAM 682 019.

BY ADVS.SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.N.K.SUBRAMANIAN

RESPONDENTS :

1. SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION, ERNAKULAM 682 025.
2. THE CIRCLE INSPECTOR OF POLICE,
OFFICE OF THE CIRCLE INSPECTOR
ERNAKULAM TOWN NORTH POLICE STATION
ERNAKULAM 682 018.
3. COMMISSIONER OF POLICE,
OFFICE OF THE COMMISSIONER OF POLICE, REVENUE TOWER
ERNAKULAM 682 011.
4. THE STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY
HOME DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM 695 039.
5. SABU THOMAS,, AGED 39 YEARS
S/O LATE TOMAS
PRESENTLY EMPLOYED AS ASST PURCHASE MANAGER
ETC GROUP, 2ND FLOOR, ETC TOWER
S.S KOVIL ROAD, TRIVANDRUM 695 001.

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6. SOPHY THOMAS @ KOCHUTHRESIA, AGED 62 YEARS
W/O LATE THOMAS, RESIDING AT VADASSERY HOUSE
NEW YEAR ROAD, PONNURUNNI, VYTTILA P.O
ERNAKULAM 682 019.

R1 TO R4 SR. BY GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 30409 of 2014 (A)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1 : COPY OF TH INTERIM ORDER DATED 08-12-2011 IN CMP
NO 2980/2011 IN M.C NO 35 OF 2011 OF JUDICIAL FIRST CLASS
MAGISTRATE I ERNAKULAM.

EXHIBIT P2 : COPY OF THE COMPROMISE STATEMENT DATED 21-02-2012 FILED
BY THE PETITIONER AND THE 5TH RESPONDENT BEFORE THE
JUDL FIRST CLASS MAGISTRATE COURT I ERNAKULAM, IN M.C.
NO 35 OF 2011.

EXHIBIT P3 : COPY OF THE ORDER DATED 25-02-2012 IN M.C NO 35 OF 2011
PASSED BY THE JUDICIAL FIRST CLASS MAGISTRATE I ERNAKULAM.

EXHIBIT P4 : COPY OF THE MP NO 2888 OF 2013 IN M.C NO 35/2011 FILED BY THE
PETITIONER BEFORE THE JUDICIAL IST CLASS MAGISTRATE, COURT-I,
ERNAKLAM DATED 07-11-2013.

EXHIBIT P5 : COPY OF THE COMPLAINT DATED 30-10-2014 SUBMITTED BY THE
PETITIONER'S BROTHER IN LAW TO THE 2ND RESPONDENT

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 30409 OF 2014

Dated this the 2nd day of December, 2015

JUDGMENT

Shaffique, J.

This writ petition has been filed seeking police protection alleging threat from respondents 5 and 6. In fact the petitioner and her daughter have already obtained an order of residence from the Judicial Magistrate of First Class, Ernakulam under the provisions of Protection of Women from Domestic Violence Act, 2005 in M.C. No.35 of 2011.

2. Learned Government Pleader on instructions would submit that after filing of the writ petition, no untoward incident has been reported.

3. Even otherwise, if there is any violation of the directions issued by the Magistrate, it is always open for the petitioner to approach the Magistrate and seek appropriate directions.

With the above observation, this Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**