

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

WP(C) .No. 30560 of 2015 (T)

PETITIONER(S) :

P.M.VARKEY, AGED 73 YEARS
S/O.MATHAI, HOUSE NO.426, CARBORANDUM ROAD
K D PLOT, SOUTH KALAMASSERY
ERNAKULAM - 683 104, AND POWER OF ATTORNEY
HOLDER OF SRI.AJITH GEORGE THOMAS
S/O.THOMAS MATHAI, RESIDING AT HOUSE NO.426
CARBORANDUM ROAD, R.D.PLOT, SOUTH KALAMASSERY
ERNAKULAM DISTRICT.

BY ADVS.SRI.K.RAMAKUMAR (SR.)
SRI.S.M.PRASANTH
SRI.G.RENJITH
SMT.ASHA BABU

RESPONDENT(S) :

1. THE DISTRICT POLICE CHIEF
THIRUVANANTHAPURAM 695 001.
2. THE STATION HOUSE OFFICER
MANGALAPURAM, THIRUVANANTHAPURAM DISTRICT 695 317.
3. DEEPU, AGED 34 YEARS,
S/O.BABU, EDATHARA HOUSE, NEAR CHECKKONAM DEVI TEMPLE
KARAKULAM VILLAGE, NEDUMANGAD POLICE STATION LIMIT
THIRUVANANTHAPURAM 695 541.
4. LAKSHMI,
W/O.DEEPU, EDATHARA HOUSE, NEAR CHECKKONAM DEVI TEMPLE
KARAKULAM VILLAGE, NEDUMANGAD POLICE STATION LIMIT
THIRUVANANTHAPURAM - 695 541.
5. KARUNAKARAN
S/O.GOPALAN NADAR, 55-MADAVANA VEEDU, CHECKKONAM
KARAKULAM VILLAGE, NEDUMANGAD POLICE STATION LIMIT
THIRUVANANTHAPURAM 695 541.

R1-R2 BY Sr.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE POWER OF ATTORNEY EXECUTED BY ONE AJITH
GEORGE THOMAS IN FAVOUR OF THE PETITIONER

EXT.P2: TRUE COPY OF THE JUDGMENT DATED 3/8/2015 IN OS NO.338/2012 ON
THE FILE OF THE MUNSIFF COURT, ATTINGAL

EXT.P3: TRUE COPY OF THE PETITION DATED 18/9/2015 SUBMITTED BY THE
PETITIONER BEFORE THE SUB INSPECTOR OF POLICE, MANGALAPURAM.

EXT.P3(A): TRUE ENGLISH TRANSLATION OF EXHIBIT P2 DOCUMENT

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

ami/

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

W.P.(C)No.30560 of 2015

Dated this the 13th day of October, 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.

2. Notice to respondent nos.3, 4 and 5 is dispensed with and this order is being passed. The petitioner has come up with the writ petition seeking a direction to respondents 1 and 2 to grant adequate police protection to the petitioner and his property to prevent obstruction caused by respondent nos.3 to 5. The petitioner's case is that the civil court has already adjudicated the rights of the parties and the suit filed by the 3rd respondent has already been dismissed on 3.8.2015. It is submitted that Ext.P3 complaint has been filed referring to various incidents where the petitioner was attacked and trespass was committed by the respondents. The learned Government

Pleader, after obtaining instruction, has submitted that a crime has already been registered against the 3rd respondent and in one case, he has been charge sheeted. The learned Government Pleader further submits that a suit filed by the petitioner is pending against one Muraleedharan for eviction. Be that as it may, the police authorities are obliged to take all appropriate steps, so that the law and order situation can be maintained and we further observe that in the event of committing any offence or attempt to commit any offence against the petitioner, on complaint submitted by the petitioner, appropriate action shall be taken.

Accordingly, this writ petition is closed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M.SHAFFIQUE,
JUDGE.

ami/

//True copy//

P.A.to Judge