

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 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 31195 of 2015 (Y)

PETITIONER(S):

**ABDUL RASHEED, AGED 30 YEARS,
S/O.HAMEED, KUNNATH THATTARAPALLIYALIL HOUSE,
KATTIPPARATHI, THOZHUVANOR P.O., MALAPPURAM DISTRICT,
PIN-679 571.**

**BY ADVS.SRI.T.S.RAJAN
SRI.K.ABDUL HAKEEM
SRI.P.M.ABDUL JALEEL (AREKODE)**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO THE GOVERNMENT,
HOME DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695 001.**
- 2. DEPUTY SUPERINTENDENT OF POLICE (DYSP) SHORNUR,
PALAKKAD DISTRICT, PIN-679 121.**
- 3. SUB INSPECTOR OF POLICE,
THRITHALA, PALAKKAD DISTRICT, PIN-679 534.**
- 4. MUHAMMED HANEEFA, AGED 25 YEARS,
S/O.ABDUL RAZAK, OKKITHAYIL HOUSE, PARUTHUR P.O.,
PATTAMBI, PALAKKAD DISTRICT, PIN-679 305.**
- 5. NAUSHAD ALI, AGED 22 YEARS,
S/O.ABDUL RAZAK, OKKITHAYIL HOUSE, PARUTHUR P.O.,
PATTAMBI, PALAKKAD DISTRICT, PIN-679 305.**

R1-R3 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 31195 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE SALE DEED NO.697/15 DT.12-2-2015 OF THRITHALA SRO.

P1(A): TRUE COPY OF THE TRANSLATION OF EXT.P1.

P2: TRUE COPY OF THE RECEIPT NO.7897007 DT.11-6-15 ISSUED BY THE VILLAGE OFFICER, PARUTHOOR.

P2(A): TRUE COPY OF THE TRANSLATION OF EXT.P2.

P3: TRUE COPY OF THE POSSESSION CERTIFICATE NO.14212232 DT.19-9-2015 ISSUED BY THE VILLAGE OFFICER, PARUTHOOR.

P4: TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT.4-10-2015 ISSUED BY THE VILLAGE OFFICER, PARUTHOOR.

P4(A): TRUE COPY OF THE TRANSLATION OF EXT.P4.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 31195 of 2015

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Dated this, the 19th 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. No notice is being issued to respondents 4 and 5 in view of the judgment, which is being passed.

2. By this writ petition, petitioner has prayed for a writ of mandamus to the 2nd and 3rd respondents to provide adequate police protection to the life and property of the petitioner. Petitioner claims to be in possession of a property which he purchased on 12th February, 2015. Allegations have been made that he is not being permitted to enjoy his property and he has submitted complaint that his property may be protected and action be taken for peaceful enjoyment. The complaints, which have been submitted including Ext.P4 essentially refer to dispute regarding the enjoyment of property and the obstruction created by respondents with regard to such enjoyment.

W.P(C) No. 31195/15

-:2:-

We are of the view that such issues can be resolved in a competent Civil Court. Petitioner may take such proceeding in competent Civil Court, as may be advised. With these observations, the writ petition is closed.

(sd/-)

ASHOK BHUSHAN, CHIEF JUSTICE

(sd/-)

A.M. SHAFFIQUE, JUDGE

True Copy PS to Judge

Rp

19/10/2015