

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. 31196 of 2015 (Y)

PETITIONER(S):

UNNI AGED 42 YEARS
S/O.RATHINAM, CHALACHINAVILAKATHIL VEEDU
PALLICHAL VILLAGE, MADAVOORPARA P.O.
THIRUVANANTHAPURAM.

BY ADV. SRI.R.GOPAN

RESPONDENT(S):

1. SUB INSPECTOR OF POLICE
NARUVAMOODU POLICE STATION
THIRUVANANTHAPURAM DISTRICT-695001.
2. RAMANAN
THALACHIRAKATHU VEEDU, THITTAVALIKKARA
VEDIVECHANCOIL-695125.
3. THE ASSISTANT ENGINEER
KERALA WATER AUTHORITY, WATER SUPPLY DIVISION
NEYYATTINKARA-695121.

R1 BY SR. GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR
R BY SRI.JOSEPH JOHN, SC, KERALA WATER AUTHORITY

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

EXHIBIT P1 : A TRUE COPY OF THE DECISION No.VI(22) DATED 28.5.2014 OF
THE PALLICHAL GRAMA PANCHAYAT.

EXHIBIT P1(a) : PHOTOCOPY OF THE ENGLISH TRANSLATION OF EXHIBIT P1.

EXHIBIT P2: PHOTOCOPY OF THE RECEIPT DATED 17.3.2015 ISSUED BY THE
KERALA WATER AUTHORITY

EXHIBIT P3 : A TRUE COPY OF THE PROVISIONAL INVOICE CARD OF KERALA
WATER AUTHORITY.

EXHIBIT P4 : PHOTOCOPY OF THE FIR IN CRIME NO.290/2015 OF NARUVAMOODU
POLICE STATION DATED 12.5.2015.

EXHIBIT P4(a) : PHOTOCOPY OF THE ENGLISH TRANSLATION OF EXHIBIT P4.

EXHIBIT P5 : PHOTOCOPY OF THE SCENE MAHAZAR IN CRIME NO.290/2015
OF NARAVAMOODU POLICE STATION DATED 13.5.2015

EXHIBIT P5(a) : PHOTOCOPY OF THE ENGLISH TRANSLATION OF EXHIBIT P5.

EXHIBIT P6 : PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT DATED 19.3.2015.

EXHIBIT P6(a) : PHOTOCOPY OF THE ENGLISH TRANSLATION OF EXHIBIT P6.

RESPONDENT'S EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

Sou.

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

W.P(C). No. 31196 of 2015

Dated this the 13th day of October, 2015

JUDGMENT

Shaffique, J

Petitioner has approached this Court seeking police protection in the matter relating to drawing of water connection in the petitioner's premises situated in Re-survey No.539/10-2 of Pallichal Village. It is stated that water connection was obtained from the Kerala Water Authority with consumer No. PCL 2943. On 21.3.2015 the second respondent and his wife trespassed into the petitioner's house and disconnected the water connection. A crime has been registered, which is pending consideration. In the meanwhile, attempts were made to restore the water connection. The petitioner apprehends obstruction from the second respondent and their men and therefore approached police for necessary protection. Since no action was taken by the police, the writ petition is filed.

2. Learned Government Pleader on instructions submits that second respondent is the brother of the petitioner and on

account of some family dispute, a crime occurred and crime has been registered as Crime No.290 of 2015. Another crime has been registered against the petitioner's son, which is also pending investigation. As far as drawl of water connection is concerned, on request by the third respondent, it is submitted that police is ready and willing to provide necessary police protection.

3.Heard learned counsel for the third respondent also.

4. Having regard to the aforesaid fact situation, we direct the first respondent to provide necessary protection for drawl of water connection to petitioner's premises on request by the third respondent.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

sou.

// True copy //