

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 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

WP(C) .No. 31288 of 2015 (I)

PETITIONER(S) :-

1. SINDHU P.T., AGED 39 YEARS
D/O.TANKAPPAN, PANAKKAPADATHU HOUSE, MARADU
COCHIN-682 304.
2. VINAYAN, AGED 37 YEARS
S/O.TANKAPPAN, PANAKKAPADATHU HOUSE, MARADU
COCHIN-682 304.

BY ADVS.SRI.S.RAMESH(VAIKOM)
SMT.KAVYA P.PRASAD

RESPONDENT(S) :-

1. SUB INSPECTOR OF POLICE (STATION HOUSE OFFICER)
MARADU POLICE STATION, MARADU, COCHIN-682 304.
2. JANAKI, AGED 62 YEARS
W/O.TANKAPPAN, PANAKKAPADATHU HOUSE, MARADU
COCHIN-682 304.
3. MR.PRATHAPAN P.T, AGED 34 YEARS
S/O.TANKAPPAN, PANAKKAPADATHU HOUSE, MARADU
COCHIN-682 304.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 28-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

jvt

WP(C).No. 31288 of 2015 (I)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1- A TRUE COPY OF THE WOUND CERTIFICATE DATED 27.09.12
AND TRANSLATION.

EXT.P2- TRUE COPY OF COMPLAINT FILED BY 1ST PETITIONER BEFORE
THE 1ST RESPONDENT ON 08.10.2015.

EXT.P3- TRUE COPY OF RECEIPT ISSUED BY THE 1ST RESPONDENT AND
TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.31288 of 2015

Dated this the 28th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court alleging that respondents 2 and 3 are threatening the petitioners and attempts were being made to forcibly evict the petitioners from their property. It is alleged that the petitioners were also manhandled and though a complaint was given to the police, no action had been taken in the matter.

2. It is apparent from the averments made in the writ petition that the petitioners and respondents 2 and 3 are residing in the very same building. The 2nd respondent is the petitioners' mother and 3rd respondent is their brother. The police can interfere only if there is any law and order situation and if any offence is committed or attempt to commit offence. The petitioners had narrated an incident which happened in 2012. Thereafter no untoward incident is seen mentioned in the writ petition or any complaint except for saying that mother slapped on a particular day.

-: 2 :-

3. Having regard to the aforesaid factual situation, we do not think that a direction for police protection can be granted in this case. We only observe that if there is any offence committed or attempt to commit offence, it shall be open for the petitioners to file a complaint before the police, who shall look into the matter and do the needful.

With the above observation, this writ petition is disposed of.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**