

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31446 of 2015 (E)

PETITIONER(S) :-

JASEENTHA RAJENDRAN, AGED 62 YEARS
W/O.LATE RAJENDRAN, RENJITH BHAVAN,
PARUTHIYOOR, POZHIYOOR P.O.,
THIRUVANANTHAPURAM.

BY ADVS.SRI.P.A.AHAMMED
SRI.THOUFEEK AHAMED

RESPONDENT(S) :-

1. STATE OF KERALA REPRESENTED BY THE SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.
2. DEPUTY SUPERINTENDENT OF POLICE,
NEYYATTINKARA, THIRUVANANTHAPURAM.
3. SUB INSPECTOR OF POLICE, POZHIYOOR POLICE STATION,
POZHIYOOR, THIRUVANANTHAPURAM.
4. EFREETHAMMA, W/O.SILVER CRUZ,
PALLIVILAKAM, PARUTHIYOOR,
POZHIYOOR P.O., THIRUVANANTHAPURAM.
5. REENA, D/O.SILVER CRUZ, PALLIVILAKAM,
PARUTHIYOOR, POZHIYOOR P.O.,
THIRUVANANTHAPURAM.
6. SABU, S/O.SILVER CRUZ,
PALLIVILAKAM, PARUTHIYOOR,
POZHIYOOR P.O., THIRUVANANTHAPURAM.
7. SILVER CRUZ @ THAMPI, PALLIVILAKAM,
PARUTHIYOOR, POZHIYOOR P.O., THIRUVANANTHAPURAM.
8. ALEXANDER, PALLIVILAKAM, PARUTHIYOOR,
POZHIYOOR P.O., THIRUVANANTHAPURAM.

9. SARAMMA, W/O.ALEXANDER, PALLIVILAKAM,
PARUTHIYOOR, POZHIYOOR P.O.,
THIRUVANANTHAPURAM.
10. PREEMA, D/O.EFREETHAMMA, PALLIVILAKAM,
PARUTHIYOOR, POZHIYOOR P.O.,
THIRUVANANTHAPURAM.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

jvt

WP(C).NO.31446 OF 2015

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WP(C)No.27229/2014 DATED 28.10.2014.

EXT.P2 :- TRUE COPY OF FIR IN CRIME No.613/2015 OF POZHIYOOR POLICE STATION DATED 4.9.2015.

EXT.P2(a) :- TRUE COPY OF THE ENGLISH TRANSLATION OF EXT.P2.

EXT.P3 :- TRUE COPY OF THE COMPLAINT FILED BY PETITIONER BEFORE THE 3RD RESPONDENT DATED 3.10.2015.

EXT.P3(a) :- TRUE COPY OF ENGLISH TRANSLATION OF EXT.P3.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.31446 of 2015

Dated this the 15th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court on the allegation that despite the fact that directions had been issued by this Court as per judgment dated 28.10.2014 in W.P.(C) No.27229 of 2014, appropriate action has not been taken by the police when complaints had been filed alleging illegal activities committed by respondents 4 and 5 and their men. It is stated that the petitioner was attacked and a crime was registered as Crime No.613 of 2015 with reference to an incident which happened on 1.9.2015. The petitioner submits that at the time when the incident occurred, though she called the 3rd respondent for protection, support was not given by the police and later, she contacted the Deputy Superintendent of Police, at whose instance, the police had come to the site and thereafter, the police had registered the crime.

2. Learned counsel for the petitioner submits that the petitioner is under severe fear of loss of life on account of the

threat and other illegal activities being caused by respondents 4 to 10.

3. Learned Government Pleader submits that when a complaint was received on 24.8.2015, the police had immediately gone to the site, but there was no incident as alleged. As far as the incident, which happened on 1.9.2015 is concerned, complaint was given only on 4.9.2015 as evident from the First Information Report. The petitioner explained that she thought that the hospital may inform the incident to the police. It is therefore, submitted by the learned Government Pleader that the police had no information about the incident and that if in any event any complaint is given by the petitioner, prompt action will be taken by the police and shall keep a constant vigil on the activities of the private respondents.

4. Having regard to the aforesaid submission, we do not think that any further direction is required to be passed in this case. As per judgment dated 28.10.2014, we have already directed the police to take appropriate action on the complaint of the petitioner.

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-: 3 :-

Under such circumstances, this writ petition is disposed of directing the police to ensure maintenance of law and order and also to keep a constant vigil on the activities of the petitioner as well as respondents 4 to 10.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

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

Jvt/16.10.2015