

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON**

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 32434 of 2015 (D)

PETITIONER(S):

**UMAMAHESWARA TEMPLE TRUST,
APPOOPPAN PARA, THENJERIKONAM, ALAMCODE P.O.,
ATTINGAL, THIRUVANANTHAPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY, B.GANGADHARAN PILLAI,
AGED 64 YEARS, S/O.BALAKRISHNAN PILLAI, KALLIDATHIYIL VEEDU,
THENJERIKONAM, MANMBOORU VILLAGE, ALAMCODE P.O.
ATTINGAL, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT(S):

- 1. SUPERINTENDENT OF POLICE,
RURAL, THIRUVANANTHAPURAM DISTRICT-695001.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
ATTINGAL THIRUVANANTHAPURAM DISTRICT-696101.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
VARKALA POLICE STATION, THIRUVANANTHAPURAM-695141.**
- 4. T.ANILKUMAR,
GOURI SADANAM, ALAMCODE P.O., ATTINGAL
THIRUVANANTHAPURAM DISTRICT-696101.**
- 5. N.ANILKUMAR,
ANIL NIVAS, THENJERIKONAM, ALAMCODE P.O.,
ATTINGAL, THIRUVANANTHAPURAM DISTRICT-696101.**
- 6. R.SAILEDNDRAKUMAR,
SAILENDRA VILASOM, THENJERIKONAM, ALAMCODE P.O.
ATTINGAL, THIRUVANANTHAPURAM DISTRICT-696101.**
- 7. SASIKUAMAR,
MUZHIVILAKOM, THENJERIKONAM, ALAMCODE P.O.
ATTINGAL, THIRUVANANTHAPURAM DISTRICT-696101.**

PJ

....2/-

WP(C).No. 32434 of 2015 (D)

8. RAMESAN,
VILAYIL VEEDU, THENJERIKONAM, ALAMCODE P.O.
ATTINGAL, THIRUVANANTHAPURAM DISTRICT-696101.

9. SHAJI
S.S.BAHVAN, THENJERIKONAM, ALAMCODE P.O.
ATTINGAL, THIRUVANANTHAPURAM DISTRICT-696101.

R1-3 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PJ

WP(C).No. 32434 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1. TRUE COPY OF THE REPRESENTATION FORWARDED BY THE
 PETITIONER TO THE 2ND RESPONDENT DATED 9/7/2015.**

**EXT.P2. TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
 BEFORE THE 1ST RESPONDENT DATED 5/10/2015.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

**ASHOK BHUSHAN, C.J. &
P.R.RAMACHANDRA MENON, J.**

W.P.(C)No.32434 of 2015

Dated this the 26th 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 Senior Government Pleader in the matter. Notice to respondent nos.4 to 9 is dispensed with, in view of the order to be passed.

2. The petitioner has come up with this writ petition praying for a direction to respondent nos.1 to 3 to provide adequate protection to the members of Umamaheswara Temple Trust for the peaceful conduct of the daily poojas and 'Pongala' festival from the threat of respondent nos.4 to 9. The petitioner's case is that respondent nos.4 to 9 were the members of Committee who were interested to conduct the temple festival in February 2015. Certain allegations have been made regarding the non payment of certain amounts to the Umamaheswara Temple Trust. It is further

stated that respondent nos.4 to 9 are trying to disturb the devotees and creating obstruction in the day-to-day affairs of the temple. The petitioner has stated in the writ petition itself that they have already approached the Civil court by filing O.S.No.440/15 of Munsiff's court, Varkala. Since the petitioner has already approached the Civil court, it is open for them to seek such relief as advised. In view of the above factual situation, the writ petition for police protection cannot be entertained. Hence we close this petition with the above observation.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
P.R.RAMACHANDRA MENON,
JUDGE.

ami/

//True copy//

P.A. to Judge