

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

WP(C).No. 32545 of 2015 (P)

PETITIONER :

A.P.ABOOBACKER MUSLYAR AGED 78 YEARS
S/O.AHAMMED HAJI, GENERAL SECRETARY
MARKAZHU SSAQUAFATHI SSUNNIYYA, KARANTHUR PO
KUNNAMANGALAM.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS :

1. SADIQUE ALI
S/O.MUHAMMAD HAJI, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT. 673 571.
2. MUJEEB
S/O.AHAMMEDKUTTY, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT 673 571.
3. KABEER, S/O.MOOSA HAJI
PATTALI, KUNNAMANGALAM, KOZHIKODE DISTRICT 673 571.
4. NOUSHAD ALI
MUHAMMED HAJI, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT 673 571.
5. SHABEER ALI
S/O.MUHAMMED HAJI, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT 673 571
6. POOLAKANDY MOIDEENKUTTY,
S/O.ABDULLA, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT 673 571
7. MUHAMMED SHAJI
S/O.MAMU, PATTALI, KUNNAMANGALAM
KOZHIKODE DISTRICT 673 571.

8. THE SUB INSPECTOR OF POLICE
KUNNAMANGALAM POLICE STATION
KOZHIKODE DISTRICT 673 571.

9. STATE OF KERALA
REPRESENTED BY THE SECREARY TO GOVERNMENT
HOME DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.

R8 & R9 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE BUILDING PERMIT HAVING NO.155/15-16 ISSUED
BY THE KUNNAMANGALAM GRAMA PANCHAYAT TO THE PETITIONER.

EXT.P2 : TRUE COPY OF THE PETITION DATED 15.10.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 8TH RESPONDENT.

EXT.P2(A) : TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 32545 OF 2015

Dated this the 30th day of October, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader. No notice is being issued to respondent Nos.1 to 7 in view of the order which is being passed.

2. The petitioner has come up with this writ petition seeking direction to 8th respondent to extend adequate police protection for the construction of a school building in the property situated in RS No.37/1F1A, 1E of Kunnamangalam Village. Petitioner's case is that after obtaining necessary permission he started the construction, on which, obstruction was created by private respondents, hence he has to suspend his work. A complaint is said to have been filed before the Sub Inspector of Police.

3. Learned Government Pleader after obtaining instructions submits that after receiving the complaint of the petitioner, a crime has also been registered on which

investigation is going on. He submits that petitioner himself has suspended the work.

4. In the facts of the present case we are of the view that in the event any offence is committed or there is attempt to commit offence by the private respondents, petitioner may submit appropriate complaint before the 8th respondent who may take appropriate measures.

With the above observation, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

WP(C) No. 32545 of 2015

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