

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 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 33147 of 2015 (P)

PETITIONER(S) :

- 1. NUSAIFA BEEVI, AGED 55 YEARS
W/O. HASSAN KHANI, MUMTHAS MANZIL, THUDAYANNOOR P.O.
KADAKKAL, ETTIVA VILLAGE, KOTTARAKKARA
KOLLAM.**
- 2. SHARIHA MANHAR, AGED 40 YEARS
S/O. HASSAN KHANI, MUMTHAS MANZIL, THUDAYANNOOR P.O.
KADAKKAL, ETTIVA VILLAGE, KOTTARAKKARA
KOLLAM.**

**BY ADVS.SMT.SONIYA M.
SRI.BONY PHILIP**

RESPONDENT(S) :

- 1. STATE OF KERALA
REP. BY THE SECRETARY, DEPARTMENT OF HOME
THIRUVANANTHAPURAM-695 001.**
- 2. SUPERINTENDENT OF POLICE,
KOTTARAKKARA-691 506.**
- 3. CIRCLE INSPECTOR OF POLICE,
KOTTARAKKARA-691 506..**
- 4. SUB INSPECTOR OF POLICE,
KADACKAL POLICE STATION, KOLLAM-691 001.**
- 5. SAIJU,
S/O. KUMARAN, "CHITHIRA", PANAYAM
EROOR VILLAGE, PUNALUR, KOLLAM-691 001.**

R1 TO R4 BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 33147 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1- COPY OF THE REPORT SUBMITTED BY THE SUB INSPECTOR OF
POLICE, EROOR ALONG WITH ENGLISH TRANSLATION.**

**EXHIBIT-P2- COPY OF THE COMPLAINT IN C.M.P. NO. 10117/2015 ALONG WITH
ENGLISH TRANSLATION.**

**EXHIBIT-P3- COPY OF THE REPRESENTATION DATED 16/10/2015 ALONG WITH
ENGLISH TRANSLATION.**

**EXHIBIT-P4- COPY OF THE INFORMATION UNDER R.T.I ACT OBTAINED FROM THE
2ND RESOPNDENT ALONG WITH ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.33147 of 2015

Dated this the 4th day of November 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioners and the learned Government Pleader. No notice is being issued to the 5th respondent in view of the judgment being passed today.

2. Petitioners, by this writ petition, have prayed for a direction to respondents 2, 3 and 4 to provide adequate police protection to the life of the petitioners from the threat of the 5th respondent. Petitioner's case is that the 5th respondent, on three occasions, had threatened the petitioners with physical injury. It is submitted that private complaint is also filed by the petitioners against the 5th respondent and pressure is being put on the petitioners to withdraw the said complaint. It is further submitted that police authorities have already taken action against the 5th respondent to declare him as a known goonda.

3. The learned Government Pleader, on instructions, would submit that, with regard to the property transaction,

O.S.No.473/2015 is pending between the parties and as on date, there is no threat to the life of the petitioners. It is further submitted that, on the basis of the direction of the learned Magistrate, crime has already been registered as Crime No.1576/2015, in which police is making necessary investigation.

4. In the above view of the matter, no direction need be issued, as prayed for. We only observe that if any offence is attempted or committed against the petitioners, it is always open for them to file necessary complaint before the police who shall look into the matter and take appropriate action, in accordance with law.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/04/11/2015

