

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 35532 of 2014 (N)

PETITIONER(S):

SHAIJULAL, AGED 40 YEARS
S/O.THANGAPPAN, ROADVILA THEKKATHIL, MUTTAKAVU
NEDUMPANAM.P.O., KOLLAM.

BY ADVS.SRI.C.RAJENDRAN
SRI.K.R.RANJITH
SMT.R.S.SREEVIDYA

RESPONDENT(S):

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO HOME, SECRETARIAT
THIRUVANANTHAPURAM. 695 001.
2. THE CITY POLICE COMMISSIONER
KOLLAM DISTRICT, KOLLAM. 691 001.
3. SUB INSPECTOR OF POLICE
CHATHANNUR POLICE STATION
THIRUVANANTHAPURAM DISTRICT. 691 572.
4. PRAKASH
S/O.GOPALAN, RANJITH BHAVAN, NEDUMPANA.P.O.
KOLLAM. 691 580.
5. SANAL KUMAR
S/O.VASUDEVAN, SHEEJA MANDIRAM, NEDUMPANA.P.O.
KOLLAM. 691 580.

6. SOMARAJAN
S/O.LAKSHMI KUTTY, CHIRUSSERY KIZHAKKATHIL
KALACKAL CHERRY, NEDUMPANAM.P.O., KOLLAM. 691 580.
7. JAYAN
JAYACHANDRA HOUSE, KALACKAL CHERRY, NEDUMPANA.P.O.
KOLLAM. 691 580.
8. VINOJ
S/O.VIDYADHARAN, UDYANAM, CHERRYKONAM
KANNANALLOOR, KOLLAM DISTRICT. 691 576.
9. KANAKAN
MULAMPULLUVILA KIZHAKKATHIL, CHERRYKONAM, KANNANALLOOR
KOLLAM DISTRICT. 691 576.
10. SUSEELA
W/O.SASIDHARAN, RAJESH BHAVAN, KAKKAKOTTOOR
EELIYODU, EDAKKIDAM.P.O., EZHUKONE VILLAGE
KOLLAM DISTRICT. 691 505.

BY GOVT. PLEADER SRI. C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 35532 of 2014 (N)

WP(C).No. 35532 of 2014 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE PHOTOGRAPH OF THE PROPERTY WHERE KURIYALA
SITUATED.

P2- A TRUE PHOTOCOPY OF PETITION DATED 22.12.2014
SUBMITTED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT.

P2(A)- A TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

/true copy/

P.S. to Judge

ASHOK BHUSHAN , Ag. CJ,
&
A.M.SHAFFIQUE, J.

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W.P. (C) No.35532 of 2014
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Dated this the 7th day of January, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner as well as the learned Government Pleader. No notice is being issued to the party respondents in view of the order which is being passed.

2. The petitioner by this Writ Petition prays for a mandamus commanding respondent Nos. 2 and 3 to give adequate police protection to the life and properties of the petitioner. Petitioner's claim is that the petitioner has constructed a small Kuriayala in his property, which is being used as a place of worship. It is submitted that interference is caused by private respondents who

had attempted to do some renovation in the Kuriyala. The petitioner has preferred a complaint, Ext. P2 before the 2nd respondent on 22-12-2014.

3. From the materials brought on record it does appear that the dispute is of civil nature and the remedy of the petitioner is to institute a suit in a competent Civil Court or to take such steps as permissible under law. Police authorities are only to ensure that law and order is maintained.

With this observation, this Writ Petition is disposed of.

Sd/-ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/-A.M.SHAFFIQUE,
JUDGE

ani/