

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 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 36801 of 2015 (A)

PETITIONERS :

- 1. RAJASEKHARAN NAIR, AGED 61 YEARS
S/O.KRISHNA PILLAI, KUMARA MANDIRAM
FROM CHAVURILA VEEDU, THEVALAPPURAM EAST
NEDUVATHOOR VILLAGE, KOTTARAKKARA TALUK.**
- 2. SUSEELAMONY AMMA, AGED 56 YEARS
W/O.RAJASEKHARAN NAIR, KUMARA MANDIRAM
FROM CHAVURILA VEEDU, THEVALAPPURAM EAST
NEDUVATHOOR VILLAGE, KOTTARAKKARA TALUK.**

**BY ADVS.SMT.SREEDEVI KYLASANATH
SRI.JOSELAL GEORGE
SRI.ACHUTH KYLAS**

RESPONDENTS :

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY, HOME DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE DIRECTOR GENERAL OF POLICE,
GENERAL ADMINISTRATION & LAW AND ORDER
POLICE HEADQUARTERS, THIRUVANANTHAPURAM-695001.**
- 3. THE SUPERINTENDENT OF POLICE,
KOLLAM RURAL, KOLLAM DISTRICT-691001.**
- 4. THE CIRCLE INSPECTOR OF POLICE,
OFFICE OF THE CIRCLE INSPECTOR OF POLICE
KOTTARAKKARA, KOLLAM DISTRICT-691506.**
- 5. THE SUB-INSPECTOR OF POLICE,
PUTHUR POLICE STATION, KOTTARAKKARA
KOLLAM DISTRICT-691507.**

6. G.S.SUNIL,
S/O.GOPALAKRISHNAN NAIR, CHANDRODAYAM
THEVALAPPURAM EAST, NEDUVATHUR VILLAGE
KOTTARAKKARA THALUK, KOLLAM DISTRICT-691507.
7. G.S.SUJITH,
S/O.GOPALAKRISHNAN NAIR, CHANDRODAYAM
THEVALAPPURAM EAST, NEDUVATHUR VILLAGE
KOTTARAKKARA THALUK, KOLLAM DISTRICT-691507.
8. G.S.SUDHEER,
S/O.GOPALAKRISHNAN NAIR, CHANDRODAYAM
THEVALAPPURAM EAST, NEDUVATHUR VILLAGE
KOTTARAKKARA THALUK, KOLLAM DISTRICT-691507.

R1 TO R5 SR. GOVT. PLEADER SMT. KOCHUMOL KODUVATH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Mn

...3/-

WP(C).No. 36801 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 TRUE COPY OF THE JUDGMENT OF THE HONOURABLE MUNSIFF COURT, KOTTARAKARA IN O.S.429/1998 DATED 5/10/2004.**
- EXT. P2 TRUE COPY OF THE JUDGMENT OF THE HONOURABLE SUBORDINATE COURT, KOTTARAKARA IN A.S.48/2005 DATED 1/06/2015.**
- EXT. P3 TRUE COPY OF THE COMPLAINT DATED 30.11.2015 LODGED BEFORE THE 5TH RESPONDENT.**
- EXT. P3(a) TRUE COPY OF THE RECEIPT DATED 30.11.2015 ISSUED BY THE OFFICE OF THE 5TH RESPONDENT WITH ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

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

W.P.(C) No.36801 of 2015

Dated this the 11th day of December 2015

J U D G M E N T

Ashok Bhushan, CJ.

Heard the learned counsel for the petitioners and the learned Government Pleader.

2. No notice is required to be issued to respondents 6 to 8, in view of the order, which is being passed in the writ petition.

3. This writ petition has been filed seeking for police protection. Petitioners' case is that there was civil litigation between the parties, which was decided in favour of the petitioners and now, when the petitioners started construction of the compound wall, respondents 6 to 8 and their men have obstructed the same. The petitioners were also threatened on 22.11.2015 and 24.11.2015, with regard to which, they had filed a complaint, Ext.P3.

4. Learned Government Pleader submits that the complaint had already been registered and the police authorities are looking into the complaint and both parties were also called at the police station. The petitioners have not yet responded.

-: 2 :-

5. Be that as it may, since the police authorities had already registered the complaint and proceeded to enquire the same, we see no reason to proceed with the writ petition. Let the complaint, Ext.P3, filed by the petitioners be looked into by the police authorities and appropriate action be taken in accordance with law.

With the above observation, this writ petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M. SHAFFIQUE
JUDGE**