

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 36819 of 2015 (B)

PETITIONERS/PETITIONERS :

1. ALEKUTTY AGED 75 YEARS
W/O.VARKEY, MUNDACKAL HOUSE, PERINGAZHA
MARADI VILLAGE, MUVATTUPUZHA P O , ERNAKULAM DISTRICT
2. VARKEY AGED 80 YEARS
S/O.MATHAI, MUNDACKAL HOUSE, PERINGAZHA
MARADI VILLAGE, MUVATTUPUZHA P O , ERNAKULAM DISTRICT
3. MATHEW VARGHESE AGED 54 YEARS
S/O.VARKEY. MUNDACKAL HOUSE, PERINGAZHA
MARADI VILLAGE, MUVATTUPUZHA P O , ERNAKULAM DISTRICT

BY ADVS.SRI.P.M.JOSHI
SMT.SIJI K.PAUL

RESPONDENTS/RESPONDENTS :

1. THE SUB INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION, MUVATTUPUZHA 686661
2. THE DEPUTY SUPERINTENDENT OF POLICE
DEPUTY SUPERINTENDENT OFFICE, MUVATTUPUZHA 686661
3. THE SUPERINTENDENT OF POLICE(ALUVA RURAL), ERNAKULAM 686101
4. MATHEW , AGED 50 YEARS
S/O.JOSEPH, KATTARAKUDIYIL NOW R/A.MUNDACKAL
PERINGAZHA, MARADI VILLAGE, MUVATTUPUZHA P O
ERNAKULAM DISTRICT 686661
5. SHILLY, AGED 48 YEARS
W/O.MATHEW, KATTARUKUDIYIL NOW R/A.MUNDACKAL
PERINGAZHA, MARADI VILLAGE, MUVATTUPUZHA P O
ERNAKULAM DISTRICT 686661

R1 TO R3 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :

- P1:-TRUE COPY OF SAID SETTLEMENT DEED NO 3720/2006 DTD 30/6/2015
- P2:-THE ENGLISH TRANSLATION OF EXT P1
- P3:-THE COPY OF CMP NO 244/11 DTD 1/3/2011 IN THE JFCM COURT,
MUVATTUPUZHA
- P4:-THE ENGLISH TRANSLATION OF EXT P3
- P5:-THE COPY OF FIR NO 224/2011 DTD 7/3/2011 IN THE JFCM COURT,
MUVATTUPUZHA
- P6:-THE ENGLISH TRANSLATION OF EXT P5
- P7:-THE COPY OF PETITION DTD 17/11/2014 TO THE CHIEF MINISTER OF KERALA
- P8:-THE ENGLISH TRANSLATION OF EXT P7
- P9:-THE COPY OF THE INTIMATION DTD 4/12/2014 ISSUED FROM THE OFFICE OF
THE CHIEF MINISTER
- P10:-THE ENGLISH TRANSLATION OF EXT P9
- P11:-THE COPY OF COMPLAINT DTD 6/11/2015
- P12:-THE ENGLISH TRANSLATION OF EXT P11

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 36819 OF 2015

Dated this the 10th day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioners and learned Government Pleader. No notice is being issued to respondent Nos.4 and 5 in view of the order which is being passed.

2. The 5th respondent is the daughter of petitioners 1 & 2 and 4th respondent is their son in law. Allegations have been made by petitioners 1 & 2 against their daughter and son in law. It is submitted that a crime has already been registered against respondents 4 and 5. Certain complaints had been submitted in the year 2014 (Ext.P7 and P8) and also in 2015, but appropriate action has not been taken.

3. Learned Government Pleader after obtaining instructions submits that there is no kind of any threat to the life of the petitioners and complaints did not disclose any such allegation which required investigation or registration of crime.

4. From the facts as stated in the writ petition and submissions made by learned Government Pleader, we are of the view that as on date there is no such case which needs any direction. We only observe that if harassment and threat continues against the petitioners, it shall be open for them to file appropriate complaint before the Police, which shall be looked into and needful shall be done.

With the above observation the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

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

WP(C) No.36819 of 2015

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