

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38233 of 2015 (D)

PETITIONER(S):

**MUBEENA ASHRAF,
KALLINGAL HOUSE, MUNDERI, MALAPPURAM.**

**BY ADVS.SMT.K.P.SANTHI
SRI.R.JAYAKRISHNAN (MUTHUKULAM)
SMT.E.U.DHANYA**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. SUB INSPECTOR OF POLICE,
POTHUKAL POLICE STATION, MALAPPURAM.**
- 3. APREM JOSEPH @ JOSE,
POOVATHUPARAMBIL, MURAMTHOOKI, MUNDERI,
MALAPPURAM - 679 334.**
- 4. BINEESH,
S/O.THANKACHAN, KALLINGAL VEEDU, MURAMTHOOKI,
MUNDERI, MALAPPURAM - 679 334.**
- 5. JINESH,
S/O.KUNJUMON, KALLINGAL VEEDU, MURAMTHOOKI,
MUNDERI, MALAPPURAM - 679 334.**
- 6. SHANEESH,
S/O.THANKACHAN, KALLINGAL VEEDU, MURAMTHOOKI,
MUNDERI, MALAPPURAM.**

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7. SHAJI,
S/O.KUNJALI, CHIRAKKAL VEEDU, CHALIKKAL,
MUNDERI, MALAPPURAM.
8. AMMU @ ROSHAN,
S/O.RAMANI, KALAVANAL VEEDU, MURAMTHOOKI,
MUNDERI, MALAPPURAM - 679 334.
9. ABDUL SALAM,
S/O.UMMER, AVUNIJIPPURAM VEEDU, MUNDERI,
MALAPPURAM - 679 334.

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

WP(C).No. 38233 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE COMPLAINT DATED 21.11.15 SUBMITTED TO THE
3RD RESPONDENT WITH ENGLISH TRANSLATION.**

**EXHIBIT P2. COPY OF THE FIR NO.731/2015 OF POTHUKAL POLICE STATION WITH
ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 38233 of 2015

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Dated this, the 21st day of December, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioner and the learned Senior Government Pleader. No notice is being issued to respondents 3 to 9 in view of the judgment which is being passed.

2. Petitioner by this writ petition has come up seeking for police protection to the life of the petitioner and her father. Petitioner claims to be the owner of rubber estate measuring 1.50 acres. Petitioner's case is that her father is engaged in tapping of rubber and now respondents 4 to 9 are obstructing the work in regard to which a First Information Report has already been registered dated 21/11/2015.

3. Learned Government Pleader after obtaining instructions submits that one of the worker of the petitioner was disengaged on account of which there was an alleged trespass regarding which a First Information Report has already been

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-:2:-

launched and police is investigating in the matter. It is further contended that police are keeping a vigil and if there is any further situation warranting interference of the police, appropriate measures shall be taken.

In view of the aforesaid, we close the writ petition with liberty to the petitioner to file a complaint, if any cause of action arises.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp21/12/2015

//True Copy//

PS to Judge