

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 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C). No.38398 of 2015 (Y)

PETITIONER(S)/PETITIONERS:-

1. SULEKHA, AGED 62 YEARS,
W/O.MUHMMEED BASHEER, SHEEJA MANZIL, KURIYODU,
CHADAYAMANGALAM, KOLLAM - 691 534.
2. SHEEJA M.
D/O.MUHMMEED BASHEER, SHEEJA MANZIL, KURIYODU,
CHADAYAMANGALAM, KOLLAM - 691 534.
3. SHEENA M.,
D/O.MUHMMEED BASHEER, SHEEJA MANZIL, KURIYODU,
CHADAYAMANGALAM, KOLLAM - 691 534.
4. SHINAS M.,
S/O.MUHMMEED BASHEER, SHEEJA MANZIL, KURIYODU,
CHADAYAMANGALAM, KOLLAM - 691 534.

**BY ADVS.SRI.T.M.ABDUL LATHEEF
SRI.A.MOHAMED RASHEED**

RESPONDENT(S)/RESPONDENTS:-

1. THE SUB INSPECTOR OF POLICE,
CHADAYAMANGALAM, KOLLAM - 691 534.
2. THE CIRCLE INSPECTOR OF POLICE,
KADAKKAL, KOLLAM - 691 536.
3. SAJEER,
S/O.KASALI, THOMBARA VEETIL, KURIYODE
CHADAYAMANGALAM, KOLLAM - 691 534.

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4. SABEER
S/O.KASALI, THOMBARA VEETTIL, KURIYODE,
CHADAYAMANGALAM, KOLLAM - 691 534.
5. SUDHEER,
S/O.KASALI, THOMBARA VEETTIL, KURIYODE,
CHADAYAMANGALAM, KOLLAM - 691 534.
6. ABDUL MAJEED,
S/O.MOHAMMED HANEEFA, VARAYIDNJAMoola VEETTIL,
KURIYODE, CHADAYAMANGALAM, KOLLAM - 691 534.
7. RAHIM, S/O.ABDUL MAJEED,
VARAYIDNJAMoola VEETTIL, KURIYODE,
CHADAYAMANGALAM, KOLLAM - 691 534.
8. ABDUL HAMEED,
S/O.ABDULLA, THOMBARA VEETTIL, KURIYODE,
CHADAYAMANGALAM, KOLLAM - 691 534.
9. HUSAINI,
S/O.ABDUL HAMEED, THOMBARA VEETTIL, KURIYODE,
CHADAYAMANGALAM, KOLLAM - 691 534.

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONER(S)' EXHIBITS:

EXT.P1. TRUE COPY OF THE JUDGMENT DATED 20.08.2011 IN O.S.NO.581 OF 2004 OF THE MUNSIF COURT, KOTTARAKKARA.

EXT.P2. TRUE COPY OF THE PHOTOGRAPH.

EXT.P3. TRUE COPY OF THE PHOTOGRAPH.

EXT.P4. TRUE COPY OF THE JUDGMENT DATED 14.09.2012 IN C.C.NO.177 OF 2005 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOTTARAKKARA.

EXT.P5. TRUE COPY OF THE DEATH CERTIFICATE DATED 07.05.2015 ISSUED BY THE CORPORATION OF THIRUVANANTHAPURAM.

EXT.P6. TRUE COPY OF THE PETITION DATED 30.11.2015 SUBMITTED BY THE 2ND PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS:- NIL

KRJ

//true copy// P.A to Judge

ASHOK BHUSHAN, C.J

&

A.M.SHAFFIQUE, J.

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W.P(C) No.38398 of 2015

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Dated this the 18th day of December, 2015

JUDGMENT

Shaffique, J

This writ petition has been filed by the petitioners seeking police protection. It is alleged that though they are in lawful possession and enjoyment of the properties and the issue of civil nature has been settled long back by virtue of decree passed in O.S No.571 of 2004, still the petitioner apprehends that respondents 3 to 9 may trespass into the their properties and may try to cut open a pathway. Though a complaint was given to the police, no action has been taken in the matter. Hence, this writ petition is filed.

2. Learned Government Pleader, on instructions, would submit that based on Ext.P6 complaint all the parties were summoned and on enquiry, it was understood that no untoward incident has been

reported. That apart, police had already informed the respective parties to keep peace.

3. Having regard to the aforesaid submission we do not think that any direction as sought for is required to be passed. However, if there is any law and order situation or any offence or attempt to commit any offence, it shall always be open to the petitioners to seek assistance of the police, who shall render assistance in accordance with the procedure prescribed.

With the above observation, the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE
JUDGE