

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE ASHOK MENON

FRIDAY, THE 29TH DAY OF DECEMBER 2017/8TH POUSHA, 1939

WP(C).No. 42173 of 2017 (V)

PETITIONER(S):

DEVI.C.JAYAN,
D/O JAYADEVAN, AGED 48 YEARS,
TC 25/1270, GREEN LAND LODGING,
THAMPANOR, THIRUVANANTHAPURAM.

BY ADVS.SRI.V.JAYAPRADEEP
SMT.O.A.NURIYA
SRI.D.S.LOKANATHAN
SMT.K.V.DHANYA

RESPONDENT(S):

1. THE STATE OF KERALA REPRESENTED BY ITS
PRINCIPAL SECRETARY, DEPARTMENT OF HOME AFFAIRS,
SECRETARIAT, THIRUVANANTHAPURAM 695001.
2. THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM 695001.
3. THE CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY 695001.
4. THE STATION HOUSE OFFICER,
THAMPANOR POLICE STATON,
THIRUVANANTHAPURAM 695004.
5. SIVAPRASAD, GENERAL MANAGER,
V-FIVE HOMES PVT LTD,
OPPOSITE COTTON HILL PRIMARYS CHOOL,
VAZHUTHACAUD, THIRUVANANTHAPURAM 695010.
6. R.RAVIKUMAR, S/O RADHAKRISHNA PILLAI,
RD NIVAS, TC 17/3551,
CHALAKKUZHY LANE, MEDICAL COLLEGE PO,
THIRUVANANTHAPURAM 695011.

BY GOVERNMENT PLEADER SRI.P.G.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-12-2017, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: THE COPY OF THE COMPLAINT DTD 24.10.2017.

EXT.P2: THE COPY OF THE RECEIPT DATED 24.10.2017.

EXT.P3: THE COPY OF THE PHOTOGRAPH SHOWING THE ILLEGAL ADVERTISEMENT BOARD OF THE PARTY RESPONDENTS.

EXT.P4: THE COPY OF THE PHOTOGRAPHS SHOWING THE FILTH AND MUD SPREAD OVER THE WINDOWS OF THE LODGE.

EXT.P5: THE COPY OF THE PHOTOGRAPHS SHOWING THE DRAINAGE OF MUD.

EXT.P6: THE COPY OF THE PHOTOGRAPHS SHOWING HE DAMAGE TO THE BUILDING.

EXT.P7: THE COPY OF THE PHOTOGRAPHS OF THE CLASH SCENE TAKEN FROM THE CCTV FOOTAGE.

EXT.P8: TRUE COPY OF THE REPRESENTATION DATED 16.11.17 TO R1.

EXT.P9: THE COPY OF THE COMPLAINT DATED 26.12.2017.

EXT.P10: THE COPY OF THE RECEIPT OF R3 DATED 26.12.17.

EXT.P11: THE COPY OF THE REPRESENTATION TO R2 DTD 26.12.2017.

//True Copy//

PS to Judge

Rp

A.M. SHAFFIQUE & ASHOK MENON, JJ.

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W.P(C) No. 42173 of 2017

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Dated this, the 29th day of December, 2017

J U D G M E N T

Shaffique, J.

Petitioner had approached this Court *inter alia* seeking for the following directions:-

“i. Issue a writ of mandamus or any other appropriate writ, order or direction commanding the 3rd respondent to stop all the constructions causing nuisance and threat to the life and property of the petitioner and remove the illegal advertisement board erected by the respondents 5 and 6 masking the name board of the petitioner and further direct 2nd and 4th respondents to afford adequate and meaningful police protection for the effective implementation of the same, and to ensure the peaceful life and business of the petitioner from the 5th and 6th respondents.”

2. As far as the allegation that the private respondents have obstructed the corporation authorities from removing a Board which was wrongly put up in the property of private

-:2:-

respondents obstructing the view of the petitioner's lodging, those matters cannot be interfered by the police unless the Corporation authorities makes a specific request in that regard.

3. With reference to the complaint of the petitioner that she was abused and threatened, she had already given a complaint as Ext.P1.

Having regard to the nature of events projected by the petitioner, it would be appropriate to dispose of the writ petition in the following manner:-

(i) The 4th respondent shall consider Ext.P1 and take appropriate action in accordance with law.

(ii) The 3rd respondent shall also consider Ext.P9 and pass appropriate orders.

Sd/-

A.M. SHAFFIQUE, JUDGE

Sd/-

ASHOK MENON, JUDGE

Rp

//True Copy//

PS to Judge