

(2011) 08 KL CK 0026

In the High Court Of Kerala

Case No : Writ Petition (C) . No. 20780 of 2011 (V)

Ambili

APPELLANT

Vs

The City Police Commissioner and Others

RESPONDENT

Date of Decision : 04-08-2011

Acts Referred:

Citation : (2011) 08 KL CK 0026

Hon'ble Judges : Pius C. Kuriakose, J;C.K. Abdul Rahim, J

Bench : Division Bench

Advocate : B. Mohanlal, for the Appellant; No Appearance, for the Respondent

Judgement

Pius C. Kuriakose, J.—This writ petition is filed by the Petitioner, a lady seeking protection for her life and property from the party Respondents. According to the Petitioner though complaint was given to the police and the police issued Ext.P3 receipt, nothing was done by the police on the complaint. On considering this writ petition for admission we directed the Govt. Pleader who took notice on behalf of Respondents 1 to 4 to seek instructions from the 4th Respondent as to whether enquiry has been conducted in the complaint and if so, what is the result of the enquiry.

2. The learned Govt. Pleader submitted before us that a thorough enquiry was conducted into the complaint. According to the learned Govt. Pleader, there were complaints by the party Respondents also against the Petitioner. Considering both the complaints and on the basis of the enquiry which was conducted on both of them two crimes have been registered against the Petitioner and four crimes have been registered against the the party Respondents. Investigation into all those crimes are going on in full swing. Learned Govt. Pleader submitted that there is threat to the life of the Petitioner. The dispute is actually over a pathway which is purely a civil dispute. The learned Counsel for the Petitioner however, reiterated before us that there is imminent threat to the life of the Petitioner from the party Respondents.

3. Having considered the rival submissions addressed before us, we are of the view that No. case is made out for issuance of the protection sought for. Two crimes have been registered against the Petitioner, while four crimes have been registered against the party Respondents. We direct the police to conduct enquiry into all the crimes thoroughly and file final report as early as possible. We also direct the Sub Inspector of Police to keep constant vigil over the Petitioner and the party Respondents and to do everything that is necessary, so that, No. law and order situation arises on account of the pathway dispute between the parties. As far the pathway dispute is concerned, we direct the Petitioner as well as the party Respondents to resolve that dispute through the process of the civil court. We permit the Petitioner to inform the police if there is any threat to her life from the party Respondents or from anybody else in future and we are sure that if any such information is received, the police will take appropriate action.