

(2010) 09 KL CK 0138

In the High Court Of Kerala

Case No : Writ Petition (C) No. 19423 of 2010 (C)

Sasi

APPELLANT

Vs

The Sub Inspector of Police and Others

RESPONDENT

Date of Decision : 20-09-2010

Acts Referred:

Citation : (2010) 09 KL CK 0138

Hon'ble Judges : K.M. Joseph, J;A.K. Basheer, J

Bench : Division Bench

Advocate : K.R. Sunil, for the Appellant; B. Renjithkumar, for the Respondent

Judgement

A.K. Basheer, J.—Petitioner is stated to be the owner of 19.60 ares of property situated in Survey No. 376/1 of Kaduvungal Desom, Mavelikkara Taluk, Alleppey District. Admittedly, the petitioner had surrendered a small extent of his property for widening a pathway under the National Employment Security Scheme. The nearby residents, according to petitioner, are enjoying the benefits of the newly formed road. However, his grievance is that respondents 4 to 7 and their supporters had trespassed into his property and cut down three coconut trees and certain other trees and saplings. Petitioner has already instituted a civil suit in this regard as against the fourth respondent.

2. The only grievance of the petitioner is that respondents 4 to 7 and their supporters are threatening him with dire consequences, if he does not withdraw the complaint filed by him against these respondents and also the Suit instituted by him as against the fourth respondent.

3. The prayer is to issue a writ in the nature of mandamus commanding respondents 1 and 2 to grant adequate and effective police protection to the life of the petitioner, his family members and his property.

4. Respondents 4 to 6 have filed a Counter Affidavit refuting the entire allegations of trespass, threat and also causing damage to the property. It is submitted by the learned Counsel that respondents 4 to 6 do not intend to cause

any harm to the life and properties of the petitioner or his family members. The above submission is recorded. However, if any complaint is received from the petitioner alleging any criminal act by respondent Nos. 4 to 7, it shall be ensured by respondent Nos. 1 and 2 that appropriate action is taken in accordance with law.

The Writ Petition is closed in the above terms.