

(2010) 06 KL CK 0068

In the High Court Of Kerala

Case No : Writ Petition (C) . No. 19737 of 2010 (N)

Satish Murthi

APPELLANT

Vs

The State of Kerala and Others

RESPONDENT

Date of Decision : 24-06-2010

Acts Referred:

Citation : (2010) 06 KL CK 0068

Hon'ble Judges : Thottathil B. Radhakrishnan, J;S.S. Satheesachandran, J

Bench : Division Bench

Advocate : Govind K. Bharathan, for the Appellant; P.M. Mohammed Shiraz, for the Respondent

Judgement

Thottathil B. Radhakrishnan, J.—The petitioner seeks an order for police protection to his life and property. He also alleged that he is victimised by the police. He says that the 7th respondent is the builder of a complex in which the petitioner has title and possession to one floor. He says that he lives there with his wife and children. They also have a driver and a maid. The petitioner, who is an Advocate, states that his office is also situated in that portion. His repeated complaint is that he is being harassed by the police at the instance of the 7th respondent with whom he has certain disputes relating to the use of the terrace portion of the building. He says that while the complaint of the 7th respondent has been registered, his complaint, including of assault, has not been registered in spite of a wound certificate being issued by the General Hospital. There is nothing on record, as of now, to indicate that the petitioner has given a First Information Statement. It is pointed out that Ext.P3 is a complaint made by the petitioner to the Circle Inspector of Police, Central Police Station. The petitioner says that he has receipt for delivery of that complaint.

2. With the aforesaid, without expressing anything on the merits, we direct that the police will maintain law and order and will ensure such protection to the life of the petitioner and his family, as may be found necessary, in the facts and circumstances. It is further clarified that this judgment will not stand in the way

of the police exercising lawful authority as against the 7th respondent or the petitioner, as the case may be. Writ petition is ordered accordingly.

Learned Government pleader will issue necessary instruction on the basis of this judgment.