

Shobha Pradeep Vs. Additional Director General of Police

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Court : Kerala

Decided On : Jul-26-2013

Judge : Honourable Mr.Justice S.Siri Jagan

Appellant : Shobha Pradeep

Respondent : Additional Director General of Police

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE S.SIRI JAGAN & THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN FRIDAY, THE 26TH DAY OF JULY 2013 4TH SRAVANA, 1935 WP(C).No. 24904 of 2012 (K) -----

PETITIONER(S): ----- SHOBHA PRADEEP AGED 3 YEARS S/O. PRADEEP KUMAR, KAIPPILLIL HOUSE KAIPPILLIL NEAR GOVERNMENT H.S.S. PUNALUR.P.O. KOLLAM DIST-691305. BY ADVS.SRI.PIRAPPANCODE V.S.SUDHIR SRI.JELSON J.EDAMPADAM RESPONDENT(S): ----- 1. ADDITIONAL DIRECTOR GENERAL OF POLICE THIRUVANANTHAPURAM.

2. DISTRICT POLICE CHIEF KOLLAM.

3. SUB INSPECTOR OF POLICE PUNALUR, KOLLAM.

4. MURALEEDHARAN PILLAI S/O. VASUDEVAN PILLAI, NILAVIL HOUSE ARAMPUNNA PUNALUR, KOLLAM. R-R4 BY ADV. SRI.SYAM J SAM BY GOVERNMENT PLEADER SRI. P.A. MUHAMMED SHAH THIS WRIT PETITION

(CIVIL) HAVING BEEN FINALLY HEARD ON 26-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.C. NO. 24904/2012 APPENDIX PETITIONER'S EXHIBITS: EXT.P1 TRUE COPY OF FIR IN CRIME NO. 1936/2011 REGISTERED BY PUNALUR POLICE. EXT.P2 TRUE COPY OF FIR IN CRIME NO. 1942/2011 REGISTERED BY PUNALUR POLICE. EXT.P3 TRUE COPY OF FIR IN CRIME NO. 705/2012 REGISTERED BY PUNALUR POLICE. EXT. P4 TRUE COPY OF COMPLAINT DATED 13 9.2012 SUBMITTED BEFORE THE 1ST RESPONDENT. EXT.P5 TRUE COPY OF DETAILS OF CRIMES IN WHICH THE 4TH RESPONDENT IS INVOLVED, WHICH WS ISSUED BY THE 3RD RESPONDENT IN REPLY TO A QUERY UNDER THE RIGHT TO INFORMATION ACT. RESPONDENTS' EXBIBITS: NIL. [True copy] P.S to Judge. S. Siri Jagan & K. Ramakrishnan, JJ.

===== W.P(C) No. 24904 of 2012 =====
===== Dated this, the 26th day of July, 2013.

JUDGMENT

Siri Jagan, J.

The petitioner is a house wife, who is residing in her house with two minor children and her aged mother. Her husband is working abroad. She alleges that the 4th respondent and his men have been repeatedly attacking her family members in respect of which, Exts. P1 to P3 crimes have been registered against the 4th respondent. Despite the same, the 4th respondent and his men continue to threaten the petitioner's life. Although the petitioner filed Ext. P4 complaint before the 1st respondent, the 1st respondent does not take any action on the same, is the complaint of the petitioner. It is under the above circumstances, the petitioner has filed this writ petition seeking the following reliefs: "i) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents 1 to 3 to give adequate and meaningful protection to the life of the petitioner and her family, and for their peaceful residence; ii) issue a writ of mandamus or any other appropriate writ, order or direction commanding the 1st respondent to take expeditious action on Ext. P4 complaint." 2. The learned counsel for the 4th respondent submits that in respect of a building, some suits are pending between

the parties. The petitioner's attempt is to get the same resolved through police protection obtained from this Court. The learned Government Pleader submits that crimes have been registered W.P(C) No. 24904 of 2012 -:

2. :- against the petitioner as well as the 4th respondent. The learned counsel for the 4th respondent assures this Court that the 4th respondent or his men will not in any way threaten the life of the petitioner and her family.

3. After hearing both sides, we dispose of this writ petition with the following directions: The undertaking by the 4th respondent that he or his men will not in anyway threaten the life of the petitioner and her family is recorded. If, contrary to the said undertaking, any untoward incidents happen, respondents 1 to 3 shall take appropriate steps to prevent any threat to the life of the petitioner and her family. But, this will not stand in the way of the police conducting investigation in the criminal cases pending against the petitioner and the 4th respondent. We make it clear that we have not expressed any opinion on the merits of the issues between the parties pending before the civil court. Sd/- S. Siri Jagan, Judge. Sd/- K. Ramakrishnan, Judge. Tds/

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