

IN THE COURT OF THE MUNSIF, KOCHI

Present :- Sri.Krishnankutty K.V, LL.B., LL.M, Additional Munsiff

Monday, the 6th day of March, 2017/17th Phalguna, 1938

I.A.No.660/2017 in O.S.No.444/2014

Petitioner/Plaintiff:-

Sree Gopalakrishna Temple Trust, Represented by its Managing Trustee G.Vishwanath Shet, Amaravathy, FortKochi Village Cochin – 682 001.

By Advs. N.Ratheesh, Aravind Ajith, Sumadevi K.S. & M.Mohammed Haneef.

Respondents/Defendants:-

1. B.S.Ramesh, S/o.Late Baban (Narayanan), House No.X/201, North Janardhana Temple Street, Amaravathy, Kochi - 682 001.
2. R.Raghu, S/o.Late Ramachandran (Goldsmith), Goplakrishna Temple South Theruvu, Amaravathy, Kochi – 682 001.
3. Venu (Gold Smith), S/o.Late Ramakrishnan, Gopalakrishna Temple South Theruvu, Amaravathy, Kochi – 682 001.
4. M.Prabhakaran, S/o.Late Manjunath, SS Krishnan Street, Amaravathy, Kochi – 682 001.
5. Prakash (Gold Smith), S/o.Umanath, Father Gomez Road, Amaravathy, Kochi – 682 001.
6. L.Hari, S/o.Late Lakshmanan, Gopalakrishna Temple Street, Krishnan Street, Amaravathy, Kochi – 682 001.
7. B.S.Rajeev, S/o. Late Baban (Narayanan), House No.X/201, North Janardhana Temple Street, Amaravathy, Kochi - 682 001.
8. Kannan, S/o.Late Sitharaman, Goplakrishna Temple Street, Krishnan Street, Amaravathy, Kochi – 682 001.

D1, D2, D4 & D8 – By Adv. Uma R.Kamath.

D3 – By Adv. A.Jayasankar, C.V.Manuvilsan, Manu Govind
& Anjana A.

D5 to 7 – Exparte.

This petition filed under Section 151 of the Code of Civil Procedure to direct the Sub Inspector of Police, Fort Kochi Police Station to render adequate and meaningful police protection with women constables to the Advocate Commissioner as well as the plaintiff and its counsel to enter into the plaint schedule property and the temple complex so as to comply with the directions of this court in the order dated 01.03.2017 in I.A.No.616/17.

This petition come up for hearing before me on 06.03.2017 and the court on the same day passed the following:-

ORDER

This is application for police protection. Interim report filed by Advocate commissioner stating that group of people including alleged president of Managing Committee has obstructed the inspection. Respondents contented that Managing Committee is not made parties.

2. Heard both sides.

3. The suit is being filed by plaintiff against persons who were alleged to be maintaining the temple. Defendants themselves has no dispute regarding the same as seen in records. Subsequent charge of Managing Committee and reconstitution of committee including 2nd, 4th and 8th defendants in Managing Committee was also admitted by defendants. Hence the court is having ample power under several decisions reported by Hon'ble High Court to allow application for commission for collecting evidence. On obstruction of the commissioner the petitioner is entitled to get necessary assistance of police to

execute commission work. Hence application allowed in the interest of justice and SHO, Fortkochi Police Station directed to give necessary assistance to commissioner.

Pronounced in open court on this the 6th day of March, 2017.

Krishnankutty K.V.
Additional Munsiff.

APPENDIX :- Nil

Additional Munsiff

CSS
compd by: