

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

WP(C).No. 1166 of 2015 (U)

PETITIONER(S):

**REFEQUE REHMAN AGED 32 YEARS,
S/O.MOULAVI ABDUL HAKEEM, MAULAVI MANZIL, CHOORI
KASARAGOD 671 124.**

**BY ADVS.SRI.PRAVEEN K. JOY
SRI.TA.JOY**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY, HOME DEPARTMENT,
SECRETARIAT, TRIVANDRUM-695001.**
- 2. THE SUPERINTENDENT OF POLICE
KASARAGODE-671124.**
- 3. THE CIRCLE INSPECTOR OF POLICE, KASARAGODE-671124.**
- 4. THE SUB INSPECTOR OF POLICE, KASARAGOD POLICE STATION-671124.**
- 5. MOHAMMED ARAFAT, AGED 25 YEARS
S/O.HAMEED, RESIDING AT RAHEEFA MAHAL, PALLAM ROAD
NELLIKUNNU, KASARAGOD-671124.**
- 6. AHAMMED KUNHI T.A
ASHIQUE VILLA, FORT ROAD, KASARAGOD-671124.**
- 7. MOHAMMED HANEEF
BABY CHOICE, FALNIR, MANGALORE-585002
KARNATAKA RESIDING AT UPPINGADI MANGALORE**
- 8. MOHAMMED MUNEER,
S/O.ABDUREHMAN, RESIDING AT FASEELA MANZIL, UDMA
PADINHAR, KASARAGOD-671124.**

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9. NUSRATH BEEVI
W/O.HAMEED T, RESIDING AT KODIYAD MANZIL, NEAR KSEB
BEACH ROAD, NELLIKUNNU P.O, KASARAGOD PIN 671 123.
10. RAMLA ABDULLA
D/O. ABOOBACKER
NEW HOUSE P.O. RAMDAS NAGAR, KASARAGOD, PIN 671 125.
11. C T MEHNAZ @V MEHJABIN, AGED 32 YEARS,
S/O.C.T ABDUL AMEER ALI,
RESIDING AT TOWN HALL ROAD,KASARAGOD-671125.
12. ABDUL NASER S.M
S/O.S.P MOHAMMED, SP MAHAL SHIRIBAGILU, KASARAGOD-671124.
13. IRSHAD AND ASHRAF
PALLIKAL HOUSE, DAKSHEERAT SCHOOL ROAD, TALANGARA
KASARAGOD-671124.
14. RABIYA ABDULLA, W/O.ABDULLA
RESIDING AT ARSH H.O 26-121-C PALLAM ROAD, KASARAGOD-671124.
15. KUNHIMAHIN P.B, AGED 45 YEARS
S/O.BAPPUNHI HAJI, RESIDING AT MOGRAL PUTHUR
KASARAGOD-671124.
16. MANSOOR ALI C.A, AGED 35 YEARS
S/O.ABOOBACKER
RESIDING AT MARJANA VILLA P.O R.D NAGAR, CHOORI
MEEPUGIRI, KASARAOGD-671124.
17. ISHAK ABDUL RAHIMAN, AGED 47 YEARS
S/O.ABDUL RAHIMAN, RESIDING AT VMK BUILDING, 1ST FLOOR
ROOM NO 1, BALMATTA MANGALORE-1, KARNATAKA-67.
18. ABDUL QUAYOOM AHMED
S/O.MOHAMMED MOHYIDDIN
RESIDING AT DARUSSALAM PERINGADY UPPALA
MANGALPADY P.O, KASARAGOD-671124.
19. P.M ABDUL RAHIMAN, AGED 54 YEARS
S/O.MOHAMMED, RESIDING AT KADAVATH HOUSE, 1/138
MOGRAL PUTHUR, KASARAGOD-671124.
20. SAMSUDDIN, AGED 22 YEARS
S/O.ABDULLA, RESIDING AT NEW HOUSE
MADHUR R.D NAGAR P.O, KOTTAKANI, KASARAGOD-671124.

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21. SAMEENA NOUSHAD
W/O.NOUSHAD, KMC 20/41 PA HAMMED HOUSE, P.O THALANGARA
CERAMICS ROAD, KASARAGOD-671124.
22. RIFAI ABDULLA BIYARI,, AGED 31 YEARS
S/O.ABDULLA HAJI, RESIDING AT DARUL AMAN, MADATHADUKA
KUNTIKKANA POST, KASARAGOD-671124.
23. K.MOIDEEN, AGED 48 YEARS
S/O.IBRAHIM BEARY, RESIDING AT ARSHA MANZIL
KARANADI POST, MAJOOR, VIA KAUP
MANGALORE, KARNATAKA-585002.
24. P.S ABDUL KADER, AGED 53 YEARS
GREEN HEIGHTS APARTMENT, FLAT NO 502, MATHIAS ROAD
FALNIR, MANGALORE, MANGALORE-585002.

R1-4 BY SENIOR GOVERNMENT PLEADER SRI.P.I.DAVIS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 THE TRUE PHOTOCOPY OF THE LAWYER NOTICE DATED 17-09-2014
ISSUED TO PETITIONER**
- EXT.P2 THE TRUE PHOTOCOPY OF THE ONE OF THE AGREEMENT
DATED 12-2-2012 OF M/S. EURO GOLD**
- EXT.P3 THE TRUE PHOTOCOPY OF THE COMPLAINT DATED 10-01-2015
BEFORE THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

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ASHOK BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J.

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Dated this the 20th day of January, 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard learned counsel for the petitioner and the learned Government Pleader.

2. By this writ petition, the petitioner prays for a mandamus directing the second respondent to grant adequate and meaningful police protection to the petitioner and family from the threat and harassment of respondents 5 to 24.

3. According to the facts brought on record, it is clear that the petitioner, who is a Director of the company, M/s Euro Gold, owes money to respondents 5 to 24. The complaint Ext.P3 is general in nature.

4. Learned Government Pleader submits that on a complaint received from the petitioner, enquiry was conducted, but the petitioner did not appear.

5. Be that as it may, in the facts of the case, no direction as prayed for can be issued . We only observe that in the event any

offence is committed or attempt to offence is committed, it is open for the petitioner to file appropriate complaint before the police.

With this observation the writ petition is closed.

**ASHOK BHUSHAN,
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE,
JUDGE.**

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