

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**

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 2314 of 2015 (L)

PETITIONER:

**M.PRAKASHAN, AGED 56 YEARS
S/O.MOORTHY, RESIDING AT PUNCHAVI, NEAR GLP SCHOOL
PUNCHAVI, KANHANGAD VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENTS:

- 1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY, SECRETARY TO GOVERNMENT, HOME
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PINCODE-695001.**
- 2. THE DISTRICT POLICE CHIEF
KASARAGOD P O, KASARAGOD DIST-671315.**
- 3. THE INSPECTOR OF POLICE
HOSDURG, HANHANGAD P O, KASARAGOD DIST-671315.**
- 4. THE SUB INSPECTOR OF POLICE,
HOSDURG POLICE STATION, HANHANGAD P O,
KASARAGOD DIST-671315.**
- 5. AHAMMED SHERIF, AGED 47 YEARS
S/O.M A MUHAMMED, RESIDING AT MUNDOL HOUSE, PADANEKKAD
KANHANGAD VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT-671328.**
- 6. SHIHABUDEEN, AGED 44 YEARS
S/O.M A MUHAMMED, RESIDING AT MUNDOL HOUSE, PADANEKKAD
KANGANGAD VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT-671328.**

R1-4 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

P1:- THE TRUE COPY OF THE REPRESENTATION DTD 6/11/2014 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT

P1(A):-THE TRUE ENGLISH TRANSLATION OF EXT P1

P2:- THE TRUE COPY OF THE NOTICE DTD 1/12/2014

P3:- THE TRUE COPY OF THE REPRESENTATION DTD 12/1/2015 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT

P3(A):-THE TRUE ENGLISH TRANSLATION OF EXT P3

P4: THE TRUE COPY OF THE RECEIPT DTD 12/1/2015 ISSUED BY DTD 12.1.2015 4TH RESPONDENT

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

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

W.P.C.No.2314 of 2015

Dated this the 22nd day of January 2015

J U D G M E N T

Shaffique,J

Heard learned counsel for the petitioner and the learned State Attorney.

2. Petitioner has approached this Court seeking police protection as against the alleged illegal acts of respondents 5 and 6. According to the petitioner, there is some dispute with reference to the partnership being conducted by the petitioner along with certain others. He purchased certain item of property. It is complained that respondents 5 and 6 are pressurizing the petitioner to re-convey his property on the allegation that he had purchased the property from partnership funds. He had filed a civil suit being O.S.No.375/2014 before the Munsiff Court, Hosdurg wherein an interim injunction has been obtained restraining

respondents 5 and 6 and their men from trespassing into the property. It is further submitted that despite the interim directions, petitioner is unable to open his textile shop named as Kashmir Silks due to the interference by the party respondents. Though a complaint was given to the police seeking adequate police protection, no action has been taken so far and hence the petitioner has approached this Court.

3. Learned State Attorney, on instructions, would submit that on receipt of the complaint by the petitioner, respondents 5 and 6 were summoned to the police station and they have been told not to obstruct the petitioner in carrying out his business activities. It is also submitted that if there is any law and order situation, police will give necessary assistance.

Accordingly, this writ petition is disposed of without issuing notice to respondents 5 and 6. The 4th respondent is directed to ensure that no law and order situation takes

place in the matter relating to conduct of the textile business of the petitioner.

(sd/-)
**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

