

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 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 4492 of 2015 (J)

PETITIONER :

K.J.XAVIER AGED 53 YEARS
S/O. JOSEPH, KOLANGATTU HOUSE, UDAYAMPEROOR P.O.
UDAYAPEROOR, ERNAKULAM - 680584.

BY ADV. SRI.BIBIN KUMAR

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY SECRETARY, LAW AND ORDER
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
2. SUPERINTENDENT OF POLICE, ALUVA - 683 101.
3. SUB INSPECTOR OF POLICE
ALUVA POLICE STATION, ALUVA - 683 101.
4. ABDUL KHADER,
S/O. LATE SYED MUHAMMED, PALAYKAPARAMBU
MALIKAMPEEDIKA HOUSE, AALANGADU P.O. - 683 511.

R1 TO R3 BY STATE ATTORNEY, SRI.P. VIJAYARAGHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4492 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT-P1 : TRUE COPY OF THE COMPLAINT DATED 15/01/2015 FILED BEFORE
THE 2ND RESPONDENT.

EXHIBIT-P2 : TRUE COPY OF THE RECEIPTS OF THE COMPLAINT ISSUED FROM
THE 2ND RESPONDENT DATED 15/01/2015.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 4492 OF 2015

Dated this the 12th day of February, 2015

JUDGMENT

Shaffique, J.

Petitioner has approached this Court seeking police protection. According to him, 4th respondent is a Union leader. He is threatening the petitioner with dire consequences and he is unable to carry on the work which he is conducting as Head Vehicle Supervisor(HVS) at Aluva depot. He has given Ext.P1 complaint before the police, but no action has been taken in the matter and therefore, petitioner has approached this Court.

2. Learned State Attorney on instructions would submit that on the basis of Ext.P1 complaint, the petitioner as well as the 4th respondent was summoned to the police station and they have given in writing that the issues between them had been settled. Thereafter no untoward incident has been reported and no complaint has been filed in the matter.

3. Learned counsel for the petitioner submits that though settlement was arrived, at the instance of the police,

still problems are created by 4th respondent and he has threatened the petitioner by affixing posters against him.

4. The averments in the writ petition does not disclose any untoward incident to show that there is threat to the life of the petitioner in any manner. Under such circumstances, we do not think that this is a fit case in which the relief sought for has to be granted. However, we only observe that if any offence is committed or attempt to commit any offence, it is always open for the petitioner to file a complaint before the Police, who shall look into the same and do the needful.

With the above observation, the Writ Petition is closed.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**

WP(C) No. 4492 of 2015

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