

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

WP(C).No. 10928 of 2013 (M)

PETITIONERS :

- 1. JOSE JOSEPH, AGED 56 YEARS,
S/O.THOMMAN JOSEPH, KOCHUPURACKAL HOUSE, 28/173
CHEVARAMBALAM P.O., NELLIKODE, KOZHIKODE.**
- 2. C.P.USMAN, S/O.KUNJUTTY, SHAMNAS,
PANNIYANKARA, P.O.KALLAI, KOZHIKODE.**

**BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR**

RESPONDENTS :

- 1. APPACHAN @ P.D.ABRAHAM
"SWARGACHITHRA", BANK ROAD, KOZHIKODE - 673 001.**
- 2. P.A.SANEESH, "SWARGACHITHRA",
BANK ROAD, KOZHIKODE - 673 001**
- 3. MANISH ABRAHAM, "SWARGACHITHRA",
BANK ROAD, KOZHIKODE 673 001**
- 4. ABDUL NAZAR, S/O.AHMED KOYA HAJI,
P.P.HOUSE, MANKAVU, KOZHIKODE - 673 001.**
- 5. THE DISTRICT POLICE CHIEF, KOZHIKODE - 673 001.**
- 6. THE CIRCLE INSPECTOR OF POLICE, TOWN POLICE STATION,
KOZHIKODE - 673 001.**
- 7. THE SUB INSPECTOR OF POLICE, TOWN POLICE STATION,
KOZHIKODE - 673 001.**

**R1 BY ADVS. SRI.C.P.MOHAMMED NIAS
SRI.K.AJITHKUMAR (597/1995)
R5 TO R7 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: COPY OF THE JUDGMENT IN FAO NO.273 OF 2012 DATED 6.9.2012.

**EXT.P-2: COPY OF THE FIR IN CRIME NO.202 OF 2013 OF THE KOZHIKODE
TOWN POLICE DATED 8.4.2013.**

**EXT.P-3: COPY OF THE PETITION FILED BY THE 1ST PETITIONER BEFORE
THE ASSISTANT COMMISSIONER OF POLICE, KOZHIKODE
DATED 5.4.2013.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

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

W.P(C). No. 10928 of 2013

Dated this the 1st day of December, 2015

JUDGMENT

Shaffique, J

This writ petition has been filed seeking police protection alleging that respondents 1 and 4 are threatening the petitioners. According to them, they have filed suit as O.S.No.589 of 2011 seeking specific performance of an agreement entered into between the petitioners and respondents 1 to 3. Threats are being made and the petitioners are forced to settle the suit. Interim direction has already been passed by this Court on 26.4.2013

2. Learned Government Pleader submits that after the interim order has been passed, no untoward incident has been reported.

Hence we close the writ petition with liberty to the petitioners to approach the police if there is any further cause of action.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE