

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**

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 9170 of 2015 (U)

PETITIONER:

**MURALEEDHARAN AGED 60 YEARS
S/O.ACHGUTAN, KOCHANAVILAYIL VEEDU
PALLARIMANGALAM MURI, THEKKEKARA VILLAGE, PIN 690 107.**

**BY ADVS.SRI.K.R.SUNIL
SMT.K.V.SAMUDRA**

RESPONDENTS:

- 1. THE CIRCLE INSPECTOR OF POLICE, MAVELIKKARA POLICE STATION
MAVELIKKARA 690 107.**
- 2. THE SUB INSPECTOR OF POLICE
KURATHIKADU POLICE STATION, KURATHIKADU 690 107.**
- 3. A.V.JACOB
S/O.VARGHESE, KOTTARATHIVILAYIL
PALLIKKAL KIZHAKKEMURI, THEKKEKARA VILLAGE, 690 107.**
- 4. JOHN @ KUNJUMON
S/O.VARGHESE, KOTTARATHIVILAYIL
PALLIKKAL KIZHAKKEMURI, THEKKEKARA VILLAGE, 690 107.**

R1 & R2 BY STATE ATTORNEY SRI.P.MJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF THE ORDER OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT 1, MAVELIKKARA IN CRIME NO.27/15 OF KURATHIKADU POLICE STATION DT.31.1.2015

EXHIBIT P2. COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE HONOURABLE HOME MINISTER OF KERALA.

EXHIBIT P2(A).COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P2.

EXHIBIT P3. COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER TO IST RESPONDENT DATED 11.04.15.

EXHIBIT P3(A).COPY OF ENGLISH TRANSLATION OF EXHIBIT P3.

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

PA TO JUDGE

JJJ

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

W.P.(C) No.9170 of 2015

Dated this the 23rd day of March 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection. It is submitted that he is an Ex-Army man and has started a provision shop at Thekekara. The respondents 3 and 4 are his brothers and closely acquainted with the family of the petitioner. According to the petitioner, on account of certain financial transactions, respondents 3 and 4 are threatening the petitioner with loss of life. It is alleged that the petitioner had to take certain loan from respondents 3 and 4, which he has repaid and now, respondents 3 and 4 along with certain family members are demanding more amounts, which has resulted in the issues between the petitioner and respondents 3 and 4. The petitioner had given a complaint to the police indicating that respondents 3 and 4 along with certain persons are threatening him with loss of life and therefore, appropriate police protection may be granted in the matter.

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2. Learned State Attorney on instructions would submit that the petitioner is involved in money lending business and he had obtained sale deeds from persons, who had taken loan including the 3rd respondent also. After repaying the loan, the petitioner is not re-conveying the property, which is agreed upon as per the agreement between the parties. There is civil disputes pending between the parties in this regard. According to the learned State Attorney, from the enquiry conducted by the police, it would reveal that there is no threat as against the petitioner whereas the petitioner is now trying to evict the persons, who are in possession of the property, which is involved in the civil suit.

3. Having regard to the aforesaid submission, we do not think that this is a case in which the petitioner can have any grievance, especially, since the parties are involved in civil litigation in respect of right to property.

4. As far as the contention regarding threat to his life is concerned, if there is any such threat, it shall always be open for the petitioner to approach the police and the police shall look into the matter and do the needful.

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-: 3 :-

With the above observation, this writ petition is disposed of.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt