

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 11723 of 2015 (M)

PETITIONER(S):

**SIVARAMAKRISHNAN P.V. , AGED 49 YEARS,
S/O.KANNAN P.V., RESIDING AT MADATHIL HOUSE,
ASHOKA ROAD, KALoor P.O., KOCHI 682 017.**

BY ADV. SRI.C.P.RAVIKUMAR

RESPONDENT(S):

- 1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT
HOME DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE COMMISSIONER OF POLICE, COCHIN CITY, KOCHI - 682 031.**
- 3. THE CIRCLE INSPECTOR OF POLICE, KALAMASSERY - 683 104.**
- 4. THE SUB INSPECTOR OF POLICE, ELAMAKKARA POLICE STATION,
ERNAKULAM DISTRICT - 682 026.**
- 5. MOHANKUMAR B., S/O.SIVASANKARAN, MANU NIVAS,
PONNINCHIRA ROAD, EDAPPALLY, KOCHI - 682 024.**
- 6. M/S.TATA MOTORS FINANCERS LIMITED, CARDEX 1,
CHEMBUMUKKU BRANCH, COCHIN - 682 030.**

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 11723 of 2015 (M)

APPENDIX

EXHIBIT P1 : TRUE COPY OF THE PARTNERSHIP DEED DATED 14/12/2012.

EXHIBIT P2 : TRUE COPY OF THE LETTER OF RETIREMENT ISSUED BY ONE OF THE PARTNERS C.V.SAHITHAN ON 10/9/2012.

EXHIBIT P3 : TRUE COPY OF THE REPRESENTATION DATED 30/3/2015 SUBMITTED BEFORE 3RD RESPONDENT WITH COPIES TO RESPONDENTS 2 AND 4.

EXHIBIT P4 : TRUE COPY OF THE REPRESENTATION DATED 1/4/2015 SUBMITTED BEFORE THE 3RD RESPONDENT.

/ TRUE COPY/

P.A. TO JUDGE

JJJ

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

W.P.(C) No. 11723 of 2015 (M)

Dated this the 8th day of April, 2015

J U D G M E N T

A.M.Shaffique, J.

The petitioner has approached this Court seeking police protection.

2. It is alleged that he had entered into a partnership business with the 5th respondent as 'SMS Transcare'. They purchased a mini lorry in the name of the 5th respondent under hire purchase agreement. On account of certain financial transactions the partnership firm was dissolved on 19.8.2013. By virtue of the settlement, the mini lorry was taken custody by the 5th respondent and he is in possession of the same. According to the petitioner, the 5th respondent has again demanded certain money, which the petitioner is not liable to pay. In the said circumstance, the 5th respondent started threatening the petitioner. The petitioner has given several complaints to the police, but no action has been taken.

3. The learned Government Pleader, on instructions, would submit that the issues pertaining to the parties is with reference to certain financial transactions. Police had made enquiry into the matter and it is understood that there is no law and order situation, as the matter stands now. Under such circumstance, we do not think it necessary to issue any direction as prayed for. We only observe that if any offence is committed, it shall be open for the petitioner to approach the Police, who shall look into the matter and do the needful.

With the above observation, writ petition is closed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.