

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

WP(C).No. 13070 of 2015 (G)

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PETITIONER(S):

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1. FAZALEUDEEN S. AGED 45 YEARS  
S/O.SAINULABDHEEN, RESIDING AT AJMAL MANZIL  
KALLUVATHUKKAL P.O., KOLLAM DISTRICT-691578.
2. NAHAS.S. AGED 38 YEARS  
S/O.SOINULABDHEEN, RESIDING AT NOUFAL MANZIL, NADAKKAL  
ADUTHALA P.O., KOLLAM DISTRICT-691579.

BY ADVS.SRI.V.A.AJIVAS  
SMT.M.MANJU (KADAKKAL)

RESPONDENT(S):

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1. THE DIRECTOR GENERAL OF POLICE  
THIRUVANANTHAPURAM-695001.
2. THE SUPERINTENDENT OF POLICE (RURAL)  
KOTTARAKARA, 691506.
3. THE DEPUTY SUPERINTENDENT OF POLICE  
KOTTARAKKARA-691506.
4. CIRCLE INSPECTOR OF POLICE  
KUNDARA, KOLLAM-691501.
5. THE SUB INSPECTOR OF POLICE  
PARIPPALLY POLICE STATION, KOLLAM-691001.
6. ABDUL BASEETH  
S/O.SAINULABDIN, JAFER MANZIL, NADAKAL  
ADUTHALA P.O., KOLLAM-691579.
7. JAFER  
S/O.SAINULABDIN, JAFER MANZIL, NADAKAL  
ADUTHALA P.O., KOLLAM, PINCODE 691579.

BY ADDL.DIRECTOR GENERAL OF PROSECUTION SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 13070 of 2015 (G)

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APPENDIX

PETITIONER(S) ' EXHIBITS

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EXHIBIT-P1: THE TRUE COPY OF THE COMPLAINT DATED 18.03.2015 FILED BY  
THE 2ND PETITIONER BEFORE THE RESPONDENTS WITH TRANSLATION.

RESPONDENT(S) ' EXHIBITS

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NIL

(SD/-) TRUE COPY

PA TO JUDGE

**A.M.SHAFFIQUE, J &  
P.V.ASHA, J**

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W.P.C.No.13070 of 2015

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Dated this the 28<sup>th</sup> day of April 2015

**J U D G M E N T**

**Shaffique,J**

Petitioners have approached this Court seeking police protection. It is inter alia contended that the 1<sup>st</sup> petitioner is running a partnership business by name 'Brothers Metal Crusher' along with 6<sup>th</sup> respondent and three others with 25% share to each partners. 6<sup>th</sup> and 7<sup>th</sup> respondents are the brothers of the 1<sup>st</sup> petitioner. There is dispute between the parties regarding partnership. It is contended that the 6<sup>th</sup> respondent, along with the 7<sup>th</sup> respondent, had committed acts of crime and as a result of which petitioners are unable to carry on business of the firm.

2. Having regard to the nature of the order we intend to pass, no notice is being issued to respondents 6 and 7.

3. Learned State Attorney, on instructions, would submit that on the basis of Ext.P1 complaint, crime has

already been registered which is pending investigation. According to the police, there is no law and order situation, as matters stand now. However, it is submitted by the learned State Attorney that if there is any further law and order situation, on the complaint of the petitioners, the police shall look into the matter and do the needful.

4. Having regard to the aforesaid submission, we do not think that any further orders are required to be passed. However, it is made clear that if there is any law and order situation, police shall look into the matter and do the needful, without interfering with the civil dispute between the parties.

(sd/-)

**(A.M.SHAFIQUE, JUDGE)**

(sd/-)

**(P.V.ASHA, JUDGE)**

jsr





