

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

SATURDAY, THE 21ST DAY OF NOVEMBER 2015/30TH KARTHIKA, 1937

WP(C).No. 13858 of 2014 (F)

PETITIONER(S):

1. RADHAKRISHNAN @ BABU, AGED 49 YEARS
S/O GOVINDAN, MATHA KRIPA, KALARIPPARAMBU
POST FEROKE, KOZHIKODE 673631
2. K.P.C MOHAMMED KOYA, AGED 53 YEARS
S/O K.P.C. HAMZA, KARIKKERIYIL VEEDU, VIRUPPIL
POST CHELAVOOR, KOZHIKODE DISTRICT
3. ABDUL NAZEER, AGED 50 YEARS
S/O MOHAMMED KUTTY, PONNEKAVIL, ARAFA HOUSE
POST FEROKE, KOZHIKODE 673631
4. HAMZA KOYA, AGED 50 YEARS
S/O ABDULLA, PANOLIL HOUSE, CHERUVANNUR
POST FEROKE, KOZHIKODE 673631
5. REJI JOSE, AGED 45 YEARS
S/O JOSE, NADUNTHADIYIL, CHELANNUR
PERUMPOYIL, POST KAKKOOR, KOZHIKODE 673613

BY ADVS.SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENT(S):

1. THE COMMISSIONER OF POLICE,
KOZHIKODE 673001
2. CIRCLE INSPECOTR OF POLICE,
MEDICAL COLLEGE POLICE STATION, KOZHIKODE 673018
3. THE STATION HOUSE OFFICER,
MEDICAL COLLEGE POLICE STATION, KOZHIKODE 673018
4. SHYJITH,
VAVUKKAL HOUSE, POST MAYANAD, KOZHIKODE 673571
5. ANEESH,
S/O GOPALAN, KODAKKAD HOUSE, POST CHELAVOOR
KOZHIKODE 673571

Contd...

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6. KOYA,
S/O KOYATTI, KUNDAVIL HOUSE, POST MAYANAD
KOZHIKODE 673571
 7. NAZAR
OZHUKKARA, POST MAYANAD, KOZHIKODE 673571
 8. SHAJI,
L.E QUARTERS, MEDICAL COLLEGE CAMPUS, NEAR IMG
POST MEDICAL COLLEGE, KOZHIKODE 673018
 9. RAVEENDRAN NAIR,
DRIVER, PRIVATE AMBULANCE SERVICE CENTRE
MEDICAL COLLEGE, KOZHIKODE 673018
 10. SHAJI,
DRIVER, PRIVATE AMBULANCE SERVICE CENTRE
MEDICAL COLLEGE, KOZHIKODE 673018
 11. PRIVATE AMBULANCE SERVICE CENTRE,
MEDICAL COLLEGE, KOZHIKODE 673018
REPRESENTED BY ITS STAND COMMITTEE CHAIRMAN
- R1-R3 BY ADDL.DIRECTOR GENERAL OF PROSECUTION
SRI.K.I.ABDUL RASHEED
R4,R5,R7,R9-R11 BY ADV. SRI.K.RAMAKUMAR (SR.)
R4,R5,R7,R8,R9-R11 BY ADV. SRI.S.M.PRASANTH
R4,R5,R7,R9-R11 BY ADV. SRI.M.MANOJKUMAR (CHELAKKADAN)
R4,R5,R7,R9-R11 BY ADV. SMT.ASHA BABU
R4,R5,R7,R9-R11 BY ADV. SMT.AMMU CHARLES

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
21-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 13858 of 2014 (F)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 : COPY OF THE COMPLAINT FILED BY THE 2ND PETITIONER BEFORE THE 3RD RESPONDENT DATED 15-11-2013 WITH ENGLISH TRANSLATION.

EXHIBIT P2 : COPY OF THE COMPLAINT SUBMITTED BY THE 2ND PETITIONER BEFORE THE 3RD RESPONDENT DATED 27-03-2014 WITH ENGLISH TRANSLATION.

EXHIBIT P3 : COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND PETITIONER BEFORE THE 1ST RESPONDENT DATED 24-03-2014 WITH ENGLISH TRANSLATION.

EXHIBIT P4 : COPY OF THE COMPLAINT SUBMITTED BY THE DIRECTOR OF ANGELS INTERNATIONAL FOUNDATION, KOZHIKODE FILED BEFORE THE 3RD RESPONDENT DATED 18-03-2013 WITH ENGLISH TRANSLATION.

EXHIBIT P5 : COPY OF THE COMPLAINT SUBMITTED BY THE 5TH PETITIONER BEFORE THE 3RD RESPONDENT DATED 25-04-2014 WITH ENGLISH TRANSLATION.

EXHIBIT P6 : COPY OF THE ACKNOWLEDGEMENT FOR THE RECEIPT OF P5 COMPLAINT DATED 25-04-2014 WITH ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS

EXT.R4(a) : TRUE COPY OF THE PROCEEDINGS OF THE DISTRICT COLLECTOR, KOZHIKODE DATED 13.3.2013 ALONG WITH ENGLISH TRANSLATION.

//TRUE COPY//

P.A.TO JUDGE

ami/

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

W.P.(C)No.13858 of 2014

Dated this the 21st day of November, 2015.

J U D G M E N T

SHAFFIQUE, J.

This writ petition has been filed seeking police protection alleging threat from respondents 4 to 11. It is alleged that the respondents are preventing and obstructing the petitioners from functioning the ambulance service operated by them.

2. The learned Additional Director General of Prosecutions on instruction would submit that during the pendency of the writ petition, no untoward incident has been reported and law and order situation is being maintained.

3. Hence we close this writ petition, giving liberty to the petitioners to approach the police, if any further cause of action arises.

Sd/-
**ASHOK BHUSHAN,
CHIEF JUSTICE.**

Sd/-
**A.M.SHAFFIQUE,
JUDGE.**

ami/

//True copy//

P.A. to Judge