

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 21790 of 2015 (W)

PETITIONER(S):

**THOMAS SHANTY, AGED 49 YEARS,
GRACE BHAVAN, KOONAMKUZHY, PUNALUR VILLAGE,
PUNALUR TALUK, NOW RESIDING AT INFRA GALLANT BUILDING,
FLAT NO.8B, LAYAM ROAD, ERNAKULAM, KOCHI - 682 035.**

**BY ADVS.SRI.JOHNSON GOMEZ,
SRI.S.SREEKUMAR (KOLLAM),
SRI.S.BIJU (KIZHAKKANELA),
SRI.ANIL ELGIN,
SRI.S.VINCENT,
SRI.S.JOSE,
SMT.SHEENAMOL VARGHESE.**

RESPONDENTS:-

- 1. THE STATE POLICE CHIEF,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM - 695 010.**
- 2. THE COMMISSIONER OF POLICE,
KOCHI CITY, CITY POLICE HEADQUARTERS,
ERNAKULAM, KOCHI - 682 011.**
- 3. THE ASSISTANT COMMISSIONER OF POLICE,
OFFICE OF THE CITY POLICE COMMISSIONER,
CITY POLICE HEADQUARTERS, ERNAKULAM,
KOCHI - 682 011.**
- 4. THE SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION,
ERNAKULAM - 682 014.**
- 5. ADBDUL KALAM KHAN,
AL-AMAL ENTERPRISES, 680/1, ZARIWALA BUILDING,
N.M. JOSHI MARG, NEAR BYCULLA RAILWAY STATION,
MUMBAI - 400 027.**

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**6. PAUL ANTONY, AGED 59 YEARS,
SON OF ANTONY, ATTOKARAN HOUSE,
KADUKUTTY, CHALAKUDY VILLAGE,
CHALAKUDY TALUK, THRISSUR DISTRICT,
PIN - 680 309.**

R1 TO R4 BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-09-2015, ALONG WITH WP(C).NO.4942 OF 2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1. A TRUE COPY OF THE RECEIPT DATED 02.10.2013 ISSUED BY THE SIXTH RESPONDENT.
- EXHIBIT P2. A TRUE COPY OF THE AUTHORIZATION LETTER DATED 19TH NOVEMBER 2013 ISSUED BY THE FIFTH RESPONDENT TO THE PETITIONER.
- EXHIBIT P3(A). A TRUE COPY OF THE RTGS RECEIPT DATED 25.11.2013 ISSUED BY THE BANK OF INDIA.
- EXHIBIT P3(B). A TRUE COPY OF THE PAY IN SLIP OF UNION BANK OF INDIA DATED 07.12.2013 ISSUED TO THE PETITIONER.
- EXHIBIT P3(C). A TRUE COPY OF THE PAY IN SLIP OF UNION BANK OF INDIA DATED 24.01.2014 ISSUED TO THE PETITIONER.
- EXHIBIT P3(D). A TRUE COPY OF THE PAY IN SLIP OF UNION BANK OF INDIA DATED 25.01.2014 ISSUED TO THE PETITIONER.
- EXHIBIT P4. A TRUE COPY OF THE POWER OF ATTORNEY DATED 06.03.2014 ISSUED BY THE FIFTH RESPONDENT IN FAVOUR OF THE PETITIONER.
- EXHIBIT P5. A TRUE COPY OF THE LETTER DATED 22ND SEPTEMBER 2014 ISSUED BY THE SECOND RESPONDENT.
- EXHIBIT P6. A TRUE COPY OF THE CHEQUE BOOK ISSUED BY ICICI, ERNAKULAM BRANCH IN THE NAME OF THE BRANCH OFFICE OF M/S.AL AMAL ENTERPRISES.
- EXHIBIT P7. A TRUE COPY OF THE TRADE LICENSE ISSUED BY THE KOCHI CORPORATION IN THE NAME OF M/S. AL-AMAL ENTERPRISES, KOCHI BRANCH.
- EXHIBIT P8. A TRUE COPY OF THE APPLICATION FOR TELEPHONE CONNECTION SUBMITTED BY THE PETITIONER BEFORE THE BSNL, ERNAKULAM SSA.
- EXHIBIT P9. A TRUE COPY OF THE RENT DEED EXECUTED IN FAVOUR OF THE PETITIONER ON 1ST DECEMBER 2013.
- EXHIBIT P10. A TRUE COPY OF THE RENT DEED DATED 1ST DECEMBER 2013 IN FAVOUR OF THE FIFTH RESPONDENT.

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- EXHIBIT P11. A TRUE COPY OF THE FIR IN CRIME NO.2679 OF 2014 OF CENTRAL POLICE STATION, ERNAKULAM.**
- EXHIBIT P12. A TRUE COPY OF THE ORDER DATED 22ND MAY 2015 PASSED BY THIS HON'BLE COURT.**
- EXHIBIT P13. A TRUE COPY OF THE FINAL REPORT IN CRIME NO.2679 OF 2014 OF CENTRAL POLICE STATION, ERNAKULAM FILED BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, ERNAKULAM.**
- EXHIBIT P14. A TRUE COPY OF THE REPRESENTATION DATED 13.07.2015 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

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V. CHITAMBARESH, J

W.P.(C). NO. 21790 OF 2014

Dated this the 07th day of January, 2016

JUDGMENT

The writ petition is dismissed as infructuous. This is without prejudice to the right of the petitioner to move the appropriate authority.

**V. CHITAMBARESH
JUDGE**

DCS