

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 21795 of 2015 (Y)

PETITIONER(S):

- 1. SUNILKUMAR A.M., AGED 39 YEARS, S/O.KUNJAN,
APART METHAL, FEROKE COLLEGE (P.O),
KOZHIKODE, PIN-673 632.**
- 2. SURENDRAN, AGED 45 YEARS,
S/O.PADMANABHAN NAIR, EDAVANA HOUSE, NOCHAD AMSOM,
VELLIYOOR DESOM, KOZHIKODE.**

**BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.G.ANEESH
SRI.P.V.ANOOP**

RESPONDENT(S):

- 1. SUB INSPECTOR OF POLICE,
BALUSSERY POLICE STATION, KOZHIKODE, PIN -673 623.**
- 2. INTELLIGENCE INSPECTOR, SQUAD NO.V,
OFFICE OF THE INSPECTING ASST. COMMISSIONER,
COMMERCIAL TAXES, KOZHIKODE, PIN- 673 020.**
- 3. THE DEPUTY COMMISSIONER,
COMMERCIAL TAXES, KOZHIKODE, PIN- 673 020.**
- 4. THE CITY POLICE COMMISSIONER,
OFFICE OF THE CITY POLICE COMMISSIONER, KOZHIKODE,
PIN- 673 001.**

BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 21795 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: TRUE COPY OF THE OFFICE BILL ISSUED TO THE 2ND PETITIONER BY THE 1ST PETITIONER FOR THE SALE OF 1200 SQ.FEET GRANITES SLABS (46 NUMBERS) BY THE 1ST PETITIONER DATED 20.03.2013.
- EXHIBIT-P2: TRUE COPY OF THE RECEIPT DATED 21.03.2013 SHOWING THE PAYMENT OF RS.10,125/- TO THE 2ND RESPONDENT.
- EXHIBIT-P3: TRUE COPY OF THE RECEIPT DATED 05.04.2013 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT-P4: TRUE COPY OF THE LETTER NO.VCR.V.5/13-14 DATED 05.04.2013 OF THE 2ND RESPONDENT.
- EXHIBIT-P5: TRUE COPY OF THE ORDER DATED 14.02.2014 IN C.M.P.NO.799/2014 ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT II, PERAMBRA.
- EXHIBIT-P6: TRUE COPY OF THE JUDGMENT DATED 11.04.2014 IN WRIT PETITION (C) NO.10591/2014.
- EXHIBIT-P7: TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONERS TO THE 4TH RESPONDENT DATED 20.05.2014.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 21795 of 2015

Dated this the 11th day of August, 2015

J U D G M E N T

The petitioners are engaged in granite business. The petitioners have approached this Court for release of the goods. The case of the petitioners is that, as per Ext.P2, the goods and vehicle were taken to Balussery Police Station.

2. The petitioners submit that the Intelligence Inspector, Squad No.V, Kozhikode ordered to release the goods on furnishing security. Petitioners have approached this Court earlier in WP(C) No.10591/2014. This Court ordered to release the goods on proving the ownership of the goods. It appears that, owners of the vehicle got release of the vehicle from the authorities.

3. During the course of hearing, the learned Government Pleader submits that, the petitioners never approached the Police authorities for release of the goods and therefore this Court directed the petitioners to appear before the 1st respondent on 05.08.2015 at 11 a.m. with a copy of Ext.P1 bill and executing a bond for release of the goods.

4. Learned counsel for the petitioners now submits that

the goods in the Police is not belonging to them and their goods are not available.

5. I have not expressed anything on the merit, if the petitioners seek release of the goods or wants to set up any other claim, they are free to do so in appropriate manner before appropriate Court or authority.

With that liberty this writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

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