

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

WP(C) .No. 26622 of 2015 (C)

PETITIONER(S) :

1. T.S. JAYAKRISHNAN AGED 36 YEARS
S/O.SUBRAMANIAN, THERAYANGODU VEEDU, EZHAKKAD PO
PALAKKAD.

2. T.A.SIVAPRASAD, S/O.SUBRAMANIAN,
THERAYANGODU VEEDU, EZHAKKAD PO
PALAKKAD

BY ADVS.SRI.I.DINESH MENON
SRI.L.RAJESH NARAYAN

RESPONDENT(S) :

1. THE SUPERINTENDENT OF POLICE, PALAKKAD
678 001.

2. THE CIRCLE INSPECTOR OF POLICE
SOUTH POLICE STATION, PALAKKAD 678 001.

3. THE CIRCLE INSPECTOR OF POLICE
NORTH POLICE STATION, PALAKKAD 678 001.

4. ABDUL NASHIQ
S/O.KHADER , SAJNA MANZIL, CHOKLI PO
THALASSERY, KANNUR 670 672.

5. THE DISTRICT SECRETARY, COMMUNIST PARTY OF INDIA
(MARXIST), PALAKKAD 678 001.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26622 of 2015 (C)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1- TRUE COPY OF THE LIST OF VEHICLES

P2- TRUE COPY FO THE AGREEMENT DATED 8.7.2015

P3- TRUE COPY OF THE REQUEST DATED 31.8.2015

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

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

W.P.(C).No. 26622 of 2015

Dated this the 14th September, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioners and the learned Government Pleader. No notice is being issued to respondents 4 and 5, in view of the order, which is being passed.

2. The petitioners are dealers in branded Motor Bikes. The petitioners' case is that the fourth respondent is one of such customers, who booked his vehicle, but the vehicle could not be delivered. The petitioners' case is that the petitioners have already returned ₹10,000/-, which had been given by cash. For the rest of the balance amount availed from the Bank the petitioners have already issued cheque to the Bank concerned. It is submitted that the petitioners are being threatened and a complaint with regard to which has already been submitted on 24.8.2015. In the above circumstances, the petitioners have come up before this Court seeking Police protection.

3. The learned Government Pleader, on instructions, submitted that there has been several complaints against the petitioners regarding not providing motor bike after receiving amounts from the customers. It is submitted that on one of the complaints, Crime No.1373/2015 has already been registered. It is further submitted that warrants have already been issued against the petitioners.

4. Be that as it may, we observe that in the event the petitioners are threatened by any offence or there is any attempt to commit offence, it is for the petitioners to submit appropriate complaint before respondents 2 and 3, who may look into the same and take appropriate action.

With the above observation, the Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs14/9/15