

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 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 32254 of 2013 (F)

PETITIONER(S) :-

NOUSHAD, S/O.ALI UMMAR, RAZEENA MANZIL,
CHILAKKOO DESOM, VARKALA VILLAGE,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 141.

BY ADV. SRI.K.P.SUJESH KUMAR

RESPONDENT(S) :-

1. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, VAZHUTHACAUD,
THIRUVANANTHAPURAM, PIN - 695 014.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
ATTINGAL, THIRUVANANTHAPURAM, PIN - 695 101.
3. THE CIRCLE INSPECTOR OF POLICE,
VARKALA, THIRUVANANTHAPURAM, PIN - 695 141.
4. THE SUB INSPECTOR OF POLICE,
VARKALA, THIRUVANANTHAPURAM, PIN - 695 310.
5. JALAL NAZAR, KATTIL VILLA, VETTOOR DESOM,
VETTOOR VILLAGE, THIRUVANANTHAPURAM - 695 312.

R5 BY ADV.SRI.J.JAYAKUMAR

R1 TO R4 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE FOURTH RESPONDENT DATED 16.12.2013.

EXT.P2 :- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE THIRD RESPONDENT DATED 16.12.2013.

EXT.P3 :- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT DATED 16.12.2013.

RESPONDENT'S EXHIBITS :-

EXT.R5(a) :- TRUE COPY OF THE LEASE AGREEMENT DATED 1.5.2013 EXECUTED BETWEEN THE 5TH RESPONDENT AND THE PETITIONER.

EXT.R5(b) :- TRUE COPY OF THE CONSENT DEED DATED 21.10.2013 EXECUTED BY THE 4TH RESPONDENT IN THE NAME OF THE PETITIONER.

EXT.R5(c) :- TRUE COPY OF THE AGREEMENT DATED 21.10.2013 ENTERED BETWEEN THE 5TH RESPONDENT AND PETITIONER'S WIFE RASEENA.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.32254 of 2013

Dated this the 15th day of June 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection inter alia contending that he had certain financial dealings with the 5th respondent. According to the petitioner, he had settled lot of liabilities of the 5th respondent that he had created in Malaysia and after coming back to India, when the petitioner approached the 5th respondent for settlement of the accounts, the 5th respondent and his men are harassing the petitioner and there is attempt to manhandle him as well. Fearing loss of life, the petitioner submitted complaint to the police. Since no action has been taken in the matter, the petitioner has approached this Court.

2. Learned counsel appearing for the 5th respondent submits that the 5th respondent had already filed a civil suit before the civil court against the petitioner. In the above suit, service is not being completed since the petitioner is said to have gone abroad.

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3. Learned State Attorney on instructions would submit that the subject matter in issue relates to 2013 and thereafter no untoward incident has been reported so far.

4. Having regard to the aforesaid factual situation, we do not think that this is a case in which any order as prayed for is required to be passed. If the petitioner and the 5th respondent have any dispute in relation to financial transaction, it is open for them to get the dispute resolved through the civil court. The police can interfere only if there is any law and order situation. As matter stands now, there is no such incident.

Hence, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE