

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 30499 of 2015 (J)

PETITIONER :

AKHIL VINAYAK AGED 31 YEARS
S/O.MADHU S.PANCIKER
KUZHITHURA MURAYIL VALIYAVEETIL, ALAPPAD VILLAGE
KARUNAGAPPALLY TALUK, KOLLAM DISTRICT.

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY

RESPONDENTS :

1. STATE OF KERALA
REPRESENTED BY SECRETARY, HOME DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE STATE POLICE CHIEF
OFFICE OF THE STATE POLICE CHIEF
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM-695 001.
3. THE COMMISSIONER OF POLICE
OFFICE OF THE COMMISSIONER OF POLICE
KOLLAM-691 001.
4. THE SUB INSPECTOR OF POLICE
THEKKUMBHAGAM POLICE STATION
KOLLAM DISTRICT-691 319.
5. KISHORE ANTONY
S/O.KISHORE, KONAMVILA HOUSE
PADINJATTE KURISSADIYIL VEEDU, SHAKTIKULANGARA P.O.
KOLLAM DISTRICT-691 581.
6. KISHORE SHAJI
S/O.KISHORE, PADINJATTE KURISSADIYIL VEEDU
SHAKTIKULANGARA P.O., KOLLAM DISTRICT-691 581.

R1 TO R4 BY STATE ATTORNEY, SRI.P. VIJAYARAGHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 30499 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE COMNPLAINT DATED 18/8/2015 SUBMITTED BEFORE THE 4TH
RESPONDENT ALONG WITH ENGLISH TRANSLATION AND ACKNOWLEDGEMENT.

EXT.P2 : TRUE COPY OF THE COMNPLAINT DATED 18/8/2015 SUBMITTED BEFORE THE 2ND
RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION AND ACKNOWLEDGEMENT.

EXT.P3 : TRUE COPY OF THE COMNPLAINT DATED 18/8/2015 SUBMITTED BEFORE THE 3RD
RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION AND ACKNOWLEDGEMENT.

EXT.P4 : TRUE COPY OF THE FIR IN CRIME NO.905/2013 OF ANCHALUMOODU POLICE
STATION, ALONG WITH TRANSLATION OF RELEVANT PORTION

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 30499 OF 2015

Dated this the 16th day of October, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned State Attorney. No notice is being issued to respondent Nos.5 and 6 in view of the order which is being passed.

2. The petitioner has filed this writ petition seeking a direction for police protection from respondents 5 and 6. Petitioner's case is that the 5th respondent had certain business transaction with one of his friends - Rajin Haseem. Petitioner submits that he has nothing to do with the transaction. Though he tried to settle the financial dispute, it is submitted that now respondents 5 and 6 are threatening the petitioner to pay the money which was due from his friend - Rajin Haseem. It is submitted that the private respondents are also creating objection in carrying out some construction activity by the petitioner. It is submitted that petitioner has submitted Exts.P1 to P3 complaints before the police authorities.

3. Learned Government Pleader after obtaining instructions submitted that police after making enquiry came to know that there are no such threat to the petitioner so as to issue any direction for police protection.

4. After having heard learned counsel for the parties we are of the view that the writ petition can be disposed of with the observation that as and when any offence is committed or there is attempt to commit offence, it shall be open for the petitioner to file a complaint before the 4th respondent who may look into the same and take appropriate action. We however direct the 4th respondent to keep a vigil on the area in question.

The Writ Petition is disposed of as above.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**