

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 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

WP(C).No. 31174 of 2015 (V)

PETITIONER(S):

- 1. NEW RANGE KURIES PRIVATE LIMITED,
KANJIRATHINGAL BUILDING, 1ST FLOOR, KODAKARA,
THRISSUR DISTRICT-680 699, REPRESENTED BY
ITS MANAGING DIRECTOR, UMESH BABU T. M.**
- 2. UMESH BABU T.M., AGED 43 YEARS,
S/O.MADHAVAN, RESIDING AT THAYYIL HOUSE, KODALY EAST,
THRISSUR-680 699, (MANAGING DIRECTOR,
NEW RANGE KURIES PRIVATE LIMITED, KODAKARA).**

**BY ADVS.SRI.LINDONS C.DAVIS
SMT.E.U.DHANYA**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HOME,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. DEPUTY SUPERINTENDENT OF POLICE, CHALAKUDY.**
- 3. CIRCLE INSPECTOR OF POLICE, KODAKARA.**
- 4. SUB INSPECTOR OF POLICE, KODAKARA.**
- 5. PHILIADRAN,
THAYYIL HOUSE, PANTHALOOR, NELLAYI VILLAGE,
THRISSUR DISTRICT.**
- 6. SUJA,
W/O.PHILADRAN, THAYYIL HOUSE, PANTHALOOR,
NELLAYI VILLAGE, THRISSUR DISTRICT.**
- 7. UMMER,
KILIYAMANNIL HOUSE, MURIKINGAL PATHUKULANGARA,
MATTATHOOR VILLAGE, THRISSUR DISTRICT.**

R1-R4 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 31174 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE COPY OF THE CERTIFICATE OF INCORPORATION OF THE 1ST PETITIONER COMPANY.

P2- TRUE COPY OF THE ACKNOWLEDGEMENT DATED 8.10.2015 ISSUED BY THE 3RD RESPONDENT ON RECEIPT OF THE COMPLAINT.

P2(A)- ENGLISH TRANSLATION OF EXT.P2.

P3- TRUE COPY OF THE COMPLAINT ALONG WITH ACKNOWLEDGEMENT DATED 08.10.2015.

P3(A)- ENGLISH TRANSLATION OF EXT.P3.

P4- TRUE COPY OF THE FIR IN CRIME NO.188/2015 OF KODAKARA POLICE STATION ALONG WITH PRIVATE COMPLAINT.

P4(a)- ENGLISH TRANSLATION OF EXT.P4.

P5- TRUE COPY OF THE FIR IN CRIME NO.189/2015 OF KODAKARA POLICE STATION ALONG WITH PRIVATE COMPLAINANT.

P5(a)- ENGLISH TRANSLATION OF EXT.P5.

P6- TRUE COPY OF THE PRIVATE COMPLAINT LEADING TO REGISTRATION OF CRIME NO.600/2015 OF KODAKARA POLICE STATION.

P6(a)- ENGLISH TRANSLATION OF EXT.P6.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.31174 of 2015

Dated this the 2nd day of November 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioners and the learned State Attorney.

2. This writ petition has been filed by the petitioners making allegations against respondents 5 to 7 who were Director and share holder of the 1st petitioner company in which 2nd petitioner is the Managing Director. Petitioners' case is that respondents 5 to 7 are obstructing the staff of 1st petitioner company to function. Certain allegations have also been made against respondents 5 to 7 regarding various illegal transactions pertaining to functioning of the company. It is also submitted by the petitioners that crime Nos.188/2015 and 189/2015 have been registered against the 5th respondent.

3. Learned State Attorney, on instructions, would submit that the 2nd petitioner is also an accused in the aforesaid crime. It is further submitted that two suits are pending between the

parties regarding dispute pertaining to functioning of the company.

4. We are of the view that with regard to the alleged obstruction made by respondents 5 to 7, it is open for the petitioners to approach the Civil court for appropriate remedy. Present is not a case where any direction, as prayed for in the writ petition, can be issued.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

True Copy

PA to Judge

jsr/02/11/2015

