

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 31802 of 2014 (A)

PETITIONER(S):

KURYAKKOSE
6/65(2/71), KURUMATTATHIL HOUSE, IRUMBAKANCHOLA P.O.
MANNARKKAD - 678 591.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S)/RESPONDENTS:-:

1. DISTRICT POLICE CHIEF
THRISSUR - 680 001.
2. CIRCLE INSPECTOR OF POLICE,
CHELAKKARA POLICE STATION, CHELAKKARA
THRISSUR DISTRICT - 680 586.
3. JOINT REGIONAL TRANSPORT OFFICER,
MANNARKKAD, PALAKKAD DISTRICT, PIN - 678 582.
4. KRISHNADAS K.K.,
S/O.UNNIKRISHNAN NAIR, POONKAVANAM HOUSE, MAYANNUR
THALAPPILLY TALUK, THRISSUR DISTRICT - 679 105.

R1 -R3 BY ADV. GOVERNMENT PLEADER SMT.S.HYMA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE REGISTRATION CERTIFICATE RELATING TO VEHICLE NO.KL-13R-201.

EXHIBIT P2. TRUE COPY OF THE CONTRACT CARRIAGE PERMIT RELATING TO VEHICLE NO.KL-16-7574.

EXHIBIT P3. TRUE COPY OF THE AGREEMENT DATED 13.08.2014 EXECUTED BETWEEN THE PETITIONER AND THE 4TH RESPONDENT RELATING BUS NO.KL-13R-201.

EXHIBIT P4. TRUE COPY OF THE AGREEMENT DATED 05.09.2014 EXECUTED BETWEEN THE PETITIONER AND THE 4TH RESPONDENT RELATING BUS NO.KL-16-7574.

EXHIBIT P5. TRUE COPY OF THE CHECK REPORT DATED 20.06.2014 ISSUED BY THE MOTOR VEHICLE INSPECTOR ENFORCEMENT WING, ERNAKULAM IN RELATION TO THE SEIZURE OF VEHICLE NO.KL-16-7574.

EXHIBIT P6. TRUE COPY OF THE NOTICE OF SALE DATED 14.07.2014 ISSUED UNDER SECTION 12 OF THE REVENUE RECOVERY ACT.

EXHIBIT P7. TRUE COPY OF THE COMPLAINT DATED 13.10.2014 FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXHIBIT P8. TRUE COPY OF THE COMPLAINT DATED 27.10.2014 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT AGAINST THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS

P.UBAID, J.

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**W.P (C) No.31802 of 2014**

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Dated this the 6th February, 2014

J U D G M E N T

The learned counsel for the petitioner seeks permission to withdraw the proceeding with liberty to bring proper proceeding. Permission is granted, on submission. Accordingly, this writ petition is dismissed as withdrawn.

**Sd/-
P.UBAID
JUDGE**

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/True copy/

P.S to Judge

This is a case where the writ petitioner seeks relief regarding Ext.P8 complaint. On a perusal of Ext.P8, I find that it is only a complaint against the Circle Inspector of Police alleging inaction on the part of the Circle Inspector on an earlier complaint made by the writ petitioner. This means that the original complaint made by the writ petitioner is something else. That is also available in the proceeding as Ext.P7. This complaint does not disclose any definite criminal offence. This is a very short complaint in

few sentences alleging breach of an agreement of sale of vehicles. The petitioner's grievance is that he is immersed in debt due to the breach committed by the 4th respondent. He wants his money back, or his vehicles. It is not known how or in what manner, the Police can act on this complaint, or what F.I.R or crime will have to be registered by the Police. The petitioner will address the court definitely what is his complaint, and on what complaint he wants criminal action by the Police under the Code of Criminal Procedure, and for what purpose definitely a writ of mandamus is sought. The learned Public Prosecutor will submit a detailed report.

Post after X'mas holidays.

**P.UBAID
JUDGE**

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