

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 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

WP(C).No. 34188 of 2015 (W)

PETITIONER :

SOMASEKHARAN PILLAI, AGED 54 YEARS
S/O.KUNJIKRISHNA PILLAI, VILAYIL VEEDU
PANAPPETTY MURI PORUVAZHY (PO), KUNNATHUR TALUK
KOLLAM DISTRICT.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENTS :

1. THE CIRCLE INSPECTOR OF POLICE
SASTHAMCOTTA, KOLLAM DISTRICT, PIN 690 530.
2. THE SUB-INSPECTOR OF POLICE
SASTHAMCOTTA POLICE STATION, KOLLAM DISTRICT
PIN 690 530.
3. MANAGER, SUNDARAM FINANCIERS LTD.
KARUNAGAPPALLY BRANCH-259, FIRST FLOOR
KOIKKATH BUILDING PADA-NORTH, NEAR T.B.HOSPITAL
PUTHIYAKAVU, KARUNAGAPALLY, KOLLAM DISTRICT- 690 521.

R1 & R2 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 34188 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 - A TRUE COPY OF THE COMPLAINT DATED 31.10.2015 BEFORE THE
2ND RESPONDENT AND ITS ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 34188 OF 2015

Dated this the 16th day of November, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner and learned Government Pleader.

2. By this writ petition the petitioner has prayed for police protection against the 3rd respondent. Petitioner's case is that he has taken some financial assistance from 3rd respondent, which is a private finance company, for purchasing a vehicle. It is further admitted that certain defaults have been committed in repayment. Petitioner's case is that the 3rd respondent is threatening to take possession of the vehicle and that too without due process of law.

3. Learned Government Pleader after obtaining instructions submits that the petitioner has defaulted the installments and the 3rd respondent is fully entitled to take action in accordance with law. Petitioner has come with this writ petition only on an apprehension and no such incident has

occurred by which the 3rd respondent has illegally taken possession of the vehicle. In such situation it is always open for the petitioner to take action in accordance with the agreement between the parties.

With this observation, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

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