

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 34313 of 2015 (L)

PETITIONER :

**VIJAYABABU @ VIJI, AGED 37 YEARS,
S/O.BALAN BABU, RESIDING AT TC.1/1831, THOPPIL VEEDU,
TAGORE GARDENS, PATTOM VILLAGE, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.RAJESH PNAIR

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM. PIN-695 001**
- 2. THE CIRCLE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.PIN-695 001**
- 3. THE ASSISTANT COMMISSIONER OF POLICE,
SHANGUMUGHAM, THIRUVANANTHAPURAM.PIN-695 001**
- 4. SASIDHARAN @ UNNI CONTRACTOR,
S/O.SANKARAN, RESIDING AT PARAKUTTY VEEDU,
PUNCHIYIL MURI, KUMARAPURAM, KADAKAMPALLY VILLAGE,
THIRUVANANTHAPURAM. PIN-695 001**
- 5. PRADOSH,
S/O.SASIDHARAN @ UNNI CONTRACTOR,
RESIDING AT PARAKUTTY VEEDU, PUNCHIYIL MURI,
KUMARAPURAM, KADAKAMPALLY VILLAGE,
THIRUVANANTHAPURAM. PIN-695 001**

R1 TO R3 BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE MEDICAL COLLEGE POLICE TO THE PETITIONER ACKNOWLEDGING THE RECEIPT OF HIS COMPLAINT DATED 15.10.2015.

EXHIBIT-P2: TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE OFFICE OF THE 3RD RESPONDENT ACKNOWLEDGING THE RECEIPT OF HIS COMPLAINT DATED 01.11.2015.

EXHIBIT-P3: TRUE PHOTOCOPY OF THE COMPLAINT DATED 10.11.2015 LODGED BY PETITIONER BEFORE THE 1ST RESPONDENT.

EXHIBIT-P3(A): TRUE ENGLISH TRANSLATION OF EXHIBIT-P3.

EXHIBIT-P4: TRUE PHOTOCOPY OF THE RECEIPT ACKNOWLEDGING EXHIBIT-P3.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

=====

W.P. (C) No. 34313 of 2015

=====

Dated this, the 17th day of November, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioner and the learned Government Pleader. No notice is being issued to the private respondents in view of the judgment which is being passed.

2. Petitioner has come up in this writ petition praying for police protection from the hands of respondents 4 and 5. Petitioner's case is that civil dispute is pending between respondents 4 and 5 and respondents 4 and 5 are putting pressure on the petitioner to withdraw the civil dispute. It is submitted that respondents 4 and 5 have attacked the workers of the petitioner with regard to which crime has already been registered. Another complaint dated 10/11/2015 has been submitted as Ext.P4.

3. Learned Government Pleader after obtaining instructions submits that two civil disputes are pending between

-:2:-

the parties regarding the property in question and on a complaint regarding an incident in which the workers of the petitioner were attacked, a crime has already been registered and is under investigation with regard to property which is subject matter of the dispute. It is submitted by the learned Government Pleader that the business establishment of the petitioner is running.

4. In view of the aforesaid, we are of the view that no protection as prayed for can be issued. We only observe that in event any offence is committed or attempted, it shall be open for the petitioner to file appropriate complaint, which shall be looked into.

With these observations, this writ petition is closed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

17/11/2015

//True Copy//

PS to Judge