

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. 34687 of 2015 (I)

PETITIONER(S):

**DR.MOHAN MATHEW,
276, PUTHANANGADI HOUSE, THRIKKAKARA P.O.,
CRASH ROAD, ERNAKULAM DISTRICT, PIN-682 012.**

BY ADV. SRI.S.S.RAJESH.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO HOME AFFAIRS,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.**
- 3. DISTRICT POLICE CHIEF,
ERNAKULAM DISTRICT, COCHIN-682 011.**
- 4. STATION HOUSE OFFICER,
THRIKKAKARA POLICE STATION,
ERNAKULAM DISTRICT, COCHIN-682 021.**
- 5. KOTAK MAHINDRA PRIME LTD.,
THADIKKARAN CENTRE, PALARIVATTOM, COCHIN-682 025,
REPRESENTED BY ITS MANAGER.**
- 6. MUNNA ANTONY,
COLLECTION MANAGER, THADIKKARAN CENTRE,
PALARIVATTOM, COCHIN-682 025.**

R1 TO R4 BY SR. GOVT. 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:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
DATED 15/08/2015 TO THE 6TH RESPONDENT.
- EXT.P2 COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER
DATED 15/10/2015 TO THE 3RD RESPONDENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

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

W.P.(C)No.34687 of 2015

Dated this the 17th day of November, 2015.

J U D G M E N T

SHAFFIQUE, J.

The petitioner has approached this Court seeking police protection. It is stated that he has purchased a vehicle on hire purchase basis. Though he was very prompt in paying the monthly installments, certain defaults occurred in paying the same. The 6th respondent, who is a collecting agent of the 5th respondent financier, has been harassing the petitioner by coming to his residence. Though he had filed a complaint before the police, no action has been taken, hence this writ petition.

2. It is clear from the averments in the writ petition that the petitioner has entered into a contract for purchase of vehicle on hire purchase basis with the 5th respondent. Being a contractual matter, we do not think that the police can interfere and resolve the issue. Under such

circumstance, the only remedy of the petitioner is to approach civil court seeking appropriate reliefs. Hence we do not think that a direction as sought for need be granted. Accordingly, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M.SHAFIQUE,
JUDGE.

ami/

//True copy//

P.A. to Judge