

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 36624 of 2015 (C)

PETITIONER :

**SANGAMESWARAN P.K., AGED 53 YEARS,
S/O. P.N.KRISHNAYYAR, PARVATYMANDIR, ELITE GARDANIA,
MUTHUVARA DESOM, PUZHAKKAL VILLAGE
THRISSUR TALUK NOW RESIDING AT APARTMENT NO. 5053
5TH BLOCK, SAPHIRE BLOCK, SOBHA CITY
THRISSUR.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.K.R.ARUN KRISHNAN**

RESPONDENTS :

- 1. THE STATE OF KERALA
REP. BY THE SECRETARY TO THE GOVT. HOME DEPARTMENT
GOVT. SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE COMMISSIONER OF POLICE,
THRISSUR CITY, OFFICE OF THE COMMISSIONER
THRISSUR EAST, THRISSUR DISTRICT - 680 001.**
- 3. THE SUB INSPECTOR OF POLICE,
PERAMANGALAM POLICE STATION,
THRISSUR DISTRICT - 680 001.**
- 4. M.RAJAN, MARUTHUR HOUZE,
AYYANTHOLE P.O., THRISSUR - 680 003
THRISSUR.**
- 5. K.P.BALAMURALI
NO.5, KRISHNA APARTMENTS, CHAKKAMUKKU
THRISSUR - 680 002.**
- 6. M.CHANDRASEKHARAMENON
KRISHNAKADAKSHAM, PARAKKOT LANE, PATTURAICKAL
THRISSUR - 680 022.**

WP(C).No. 36624 of 2015 (C)

- 7. M.K.JOHNSON
KENACHERYHOUSE, NETTISSERY P.O., THRISSUR - 680 001.**
- 8. M.RADHAKRISHNAN, AGED 58 YEARS,
MOOKATH HOUSE, VALLACHIRA P.O., THRISSUR - 680 562.**
- 9. DR.SUNDARJI, AGED 62 YEARS,
SWATHY, DWANNARAYAMENON ROAD, THRISSUR - 680 020.**
- 10. THE AUTHORIZED OFFICER
M/S. TATA CAPITAL FINANCIAL SERVICES PVT. LTD
THINK TECHNO CAMPUS, BIDG-A1, 4TH FLOOR
OFF. POKHRAN ROAD 2, THANE WEST - 400 607.**
- 11. THE AUTHORIZED OFFICER,
M/S BAJAJ FINSERVE, REGD. OFFICE, PUNE ROAD
AKURDI, UNE - 400 001.**

R1 TO R3 BY SENIOR GOVERNMENT PLEADER SRI.C.R. RYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: - A TRUE COPY OF I.P NO. 12/2015 FILED BEFORE THE HONOURABLE SUB COURT, THRISSUR DT. 26.11.2015.
- P2:- A TRUE COPY OF THE COMPLAINT LODGED BY THE PETITIONER BEFORE THE THIRD RESPONDENT DT. 29.11.2015 WITH TRANSLATION.
- P3:- A TRUE COPY OF THE RECEIPT ISSUED BY THE THIRD RESPONDENT DT. 30.11.2015 WITH TRANSLATION.
- P4:- A TRUE COPY OF THE COMPLAINT BY THE PETITIONER BEFORE THE SECOND RESPONDENT DT. 29.11.2015.
- P5:- A TRUE COPY OF THE RECEIPT ISSUED BY THE SECOND RESPONDENT DT. 30.11.2015 WITH TRANSLATION.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

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

W.P(C). No. 36624 of 2015

Dated this the 3rd day of December, 2015

JUDGMENT

Shaffique, J

Petitioner has approached this Court seeking police protection alleging that respondents 4 to 9 are threatening the petitioner with dire consequences. It is alleged that the petitioner was running business in the name and style P.S.N Motors Pvt. Ltd., and sister concerns. On account of business loss he become liable to pay huge amounts to various creditors. Respondents 4 to 10 are also similar creditors. When there was severe threat, the petitioner filed complaint before the police seeking protection. Since no action has been taken in the matter, this writ petition has been filed.

2. Learned Government Pleader on instructions would submit that the petitioner had defrauded the public to an extent of more than 12 crores, however no untoward incident has been reported.

3. Having regard to the aforesaid factual situation we do

not think that police can interfere if the creditors approach the petitioner making demands for amounts due to them. Police can interfere only if there is any offence committed or there is attempt to offence. In such an event it is always open for the petitioner to seek assistance of the police.

With the above observation, the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

sou.7/12/15