

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).No. 37232 of 2015 (D)

PETITIONER(S) :

- 1. SAJEEVAN, AGED 48 YEARS,
S/O.NARAYANAN, MULLA HOUSE, NATTIKA VILLAGE,
TRIPRAYAR DESOM, P.O.VALAPPAD, PIN: 680 567,
CHAVAKKAD TALUK.**
- 2. LINDA, AGED 37 YEARS,
W/O.SAJEEVAN, MULLA HOUSE, NATTIKA VILLAGE,
TRIPRAYAR DESOM, P.O.VALAPPAD, PIN: 680 567,
CHAVAKKAD TALUK.**

BY ADV. SRI.K.V.SADANANDA PRABHU

RESPONDENT(S) :

- 1. DISTRICT SUPERINTENDENT OF POLICE,
THRISSUR- 680 001.**
- 2. CIRCLE INSPECTOR OF POLICE,
VALAPPAD- 680 567.**
- 3. MANOJ, AGED 51 YEARS,
BUSINESS, S/O.SANKARAN, KURUVATH HOUSE,
PUNKUNNAM VILLAGE AND DESOM, P.O.PUNKUNNAM,
PIN: 680 002, THRISSUR TALUK.**
- 4. THOMAS, AGED 52 YEARS,
S/O.ANTONY, THERMADAM HOUSE, KATTOOR VILLAGE AND DESOM,
P.O.KATTOOR, PIN: 680 702, MUKUNDAPURAM TALUK.**
- 5. SUMAM, AGED 45 YEARS,
CLERK, W/O.RAJEEV, KODAKKATTIL HOUSE,
THANYAM VILLAGE, PERUNGOTTUKARA, PIN: 680 565,
THRISSUR TALUK.**

6. ALLY, AGED 47 YEARS,
CLERK, W/O.JOY, PALOLY HOUSE,
THANYAM VILLAGE, VADAKKUMURI DESOM, P.O.VADAKKUMURI,
PIN: 680 570, THRISSUR TALUK.
7. RAJALAKSHMI, AGED 43 YEARS,
CLERK, W/O.SURESH, MANAPPUZHI HOUSE,
VATANAPPALLY VILLAGE AND DESOM, THRITHALLUR P.O.,
PIN: 680 619, CHAVAKKAD TALUK.
8. VISWANADHAN, AGED 55 YEARS, CLERK,
PULAKKAZHI HOUSE, VATANAPPALLY VILLAGE AND DESOM,
P.O.VATANAPPALLY, PIN: 680 614, CHAVAKKAD TALUK.
9. JAYACHANDRAN, AGED 60 YEARS,
BUSINESS, S/O.CHANDRASEKHARAN, PANNIPULATH HOUSE,
NATTIKA VILLAGE & DESOM, P.O.NATTIKA BEACH,
PIN: 680 566, CHAVAKKAD TALUK.
10. MADHUSUDANAN, AGED 50 YEARS,
BUSINESS, KALAKKODUVATH HOUSE,
NATTIKA VILLAGE AND DESOM, P.O.NATTIKA,
PIN: 680 566, CHAVAKKAD TALUK.
11. ANILAN, AGED 55 YEARS,
BUSINESS, NELLIPARAMBIL HOUSE,
NATTIKA VILLAGE AND DESOM, P.O.NATTIKA,
PIN: 680 566, CHAVAKKAD TALUK.

R1 & R2 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

**P1: TRUE PHOTOCOPY OF NON LIABILITY CERTIFICATE DATED 08/11/2014
ISSUED BY THE COMPANY OF THE RESPONDENTS 3 TO 8.**

P1(A): TRUE TRANSLATION OF EXT.P1.

**P2: TRUE COPY OF THE RECORD OF FORM NO.DIR-11 U/S.168(1) OF
COMPANIES ACT 2013.**

**P3: TRUE COPY OF THE COMPLAINT DATED 25/08/2015 FILED BEFORE
THE 2ND RESPONDENT.**

P3(A): TRUE TRANSLATION OF EXT.P3.

**P4: TRUE PHOTOCOPY OF THE COMPLAINT U/S. 190(1)(A) OF CR.PC.M.P
NO.12591/2015 ON THE FILE OF JFMC KODUNGALLOOR
DATED 27.11.2015.**

P4(A): TRUE TRANSLATION OF EXT.P4.

**P5: TRUE PHOTOCOPY OF THE PLAINT DATED 23/11/2015 IN OS.NO.2712/15
ON THE FILE OF THE MUNSIFF COURT CHAVAKKAD FILED BY
THE 2ND PETITIONER.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

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

W.P(C). No. 37232 of 2015

Dated this the 9th day of December, 2015

JUDGMENT

Shaffique, J

Petitioners have approached this Court seeking police protection alleging that respondents 3 to 11 are threatening the petitioners on account of which they are unable to construct the residential building in the property owned by the second petitioner and complete the same. It is also stated that a complaint has been filed before the first Class Judicial Magistrate, Kodungallur as M.P.No.1259 of 2015, which is pending consideration.

2. Learned Government pleader on instructions would submit that the petitioner along with respondents 3 to 8 were the Directors of a Chitty Company under the name and style M/s. Trade Link Chits and Financial Enterprises (P) Ltd. There are financial transactions between them. There are civil suits between them in respect of the said transactions. It is also stated that on enquiry, police did not come across any law and order situation for the purpose of granting any police protection.

3. Learned counsel for the petitioner however would submit that there is severe threat from respondents 3 to 11.

4. Under such circumstances, we only observe that if there is any offence committed or attempt to commit offence by respondents 3 to 11 or their men, it shall be open for the petitioner to file complaint before the police who shall look into the matter and do the needful.

The writ petition is closed with the above observation.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE