

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 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 37787 of 2015 (W)

PETITIONERS:

1. LAILA AGED 63 YEARS
D/O MADHALENA, LATHIKA BHAVAN
VELLAYAMBALAM, SINAKARATHOPPU POOTHURA
ANCHUTHENGU P O, THIRUVANANTHAPURAM 695309
KERALA SARKARA VILLAGE
2. JERONY AGED 67 YEARS
S/O.VINCENT, LATHIKA BHAVAN, VELLAYAMBALAM
SINAKARATHOPPU POOTHURA, ANCHUTHENGU P O
THIRUVANANTHAPURAM 695309, KERALA SARKARA VILLAGE
3. LATHA CLEMENT AGED 37 YEARS
D/O.LAILA, C L HOUSE, PECHINA VILAKAM
NEAR ST ROCH'S CHURCH , POOTHURA, ANCHUTHENGU P O
THIRUVANANTHAPURAM 695309, KERALA SARKARA VILLAGE

BY ADV. SRI.LIJU. M.P

RESPONDENTS:

1. THE DIRECTOR GENERAL OF POLICE
KERALA STATE POLICE HEAD QUARTERS, VAZHUTHAACADE
THIRUVANANTHAPURAM, 695010, KERALA INDIA
2. THE SUPERINTENDENT OF POLICE(RURAL)
THE OFFICE OF SUPERINTENDENT OF POLICE
THIRUVANANTHAPURAM, RURAL, PMG JUNCTION
VIKAS BHAVAN P O, THIRUVANANTHAPURAM 695033
KERALA INDIA
3. DEPUTY SUPRINTENDENT OF POLICE
THE OFFICE OF DEPUTY SUPERINTENDENT OF POLICE
ATTINGAL, ATTINGAL P O, THIRUVANANTHAPURAM 695101
KERALA , INDIA
4. THE CIRCLE INSPECTOR OF POLICE
THE OFFICE OF INSPECTOR OF POLICE, KADAKKAVOOR
KADAKKAVOOR P O, THIRUVANANTHAPURAM 695306, KERALA
INDIA
5. THE SUB INSPECTOR OF POLICE
ANCHUTHENGU POLICE STATION, ANCHUTHENGU
THIRUVANANTHAPURAM DISTRICT 695309
6. JOY , TADHI BHAVAN, VELLAYAMBALAM, SINKARATHOPPU

POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA

7. SUNI D/O.TREESA, VELLAYAMBALAM, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
8. FRANCIS, VELLAYAMBALAM, SINKARATHOPPU, POOTHURA
ANCHUTHENGU P O, SARKARA VILLAGE, THIRUVANANTHAPURAM
695309, KERALA
9. JENECT, D/O.CHELLAMMA, VELLAYAMBALAM, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
10. JERAMIAS, S/O.ABEL, VELLUTHARA PURAYIDAM,
SINKARATHOPPU, POOTHURA, ANCHUTHENGU P O,
SARKARA VILLAGE, THIRUVANANTHAPURAM, 695309, KERALA
11. LOORDU
D/O.PAULA, JIJO HOUSE, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
12. JIJO ALBERT
S/O.ALBERT, JIJO HOUSE, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
13. SHIRLY
D/O.ROSAMMA, PUTHEN BUNGALOW, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
14. ROLDEN
S/O.BENADY, PUTHEN BUNGALOW, SINKARATHOPPU
POOTHURA, ANCHUTHENGU P O, SARKARA VILLAGE
THIRUVANANTHAPURAM, 695309, KERALA
15. SYRAUS
S/O.GEORGE, SINKARATHOPPU, POOTHURA
ANCHUTHENGU P O, SARKARA VILLAGE, THIRUVANANTHAPURAM
695309, KERALA

R1 TO 5 BY GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS

- P1:- TRUE COPY OF THE COMPLAINT DATED 15/12/2014 ADDRESSED TO 5TH RESPONDENT ALONG WITH ITS TRUE ENGLISH TRANSLATION.
- P2:- TRUE COPY OF THE COMPLAINT DATED 6/12/2015 ADDRESSED TO THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM.
- P3:- TRUE COPY OF THE EMIRATES POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO HON'BLE CHIEF MINISTER OF KERALA.
- P4:- TRUE COPY OF THE POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO HOME MINISTER OF STATE OF KERALA.
- P5:- TRUE COPY OF THE POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO 1ST RESPONDENT.
- P6:- TRUE COPY OF THE POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO 2ND RESPONDENT.
- P7:- TRUE COPY OF THE POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO 3RD RESPONDENT.
- P8:- TRUE COPY OF THE POSTAL RECEIPT DATED 30/11/2015 ADDRESSED TO 4TH RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.A. TO JUDGE.

kp/-

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

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W.P.(C). No. 37787 of 2015

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Dated this the 22nd day of December, 2015

JUDGMENT

A.M. SHAFFIQUE, J.

The petitioners have approached this Court seeking police protection. It is alleged that Mrs. Shyni, wife of Mr. Jose had availed large amounts from respondents 6 to 15. She has now deserted Mr. Jose. The respondents 6 to 15 who were the creditors are now approaching the petitioners and are demanding the amount. Petitioners apprehend severe threat to their life. It is also stated that Mr. Jose is unable to come forth and visit his aged parents on account of such threats.

2. The learned Government Pleader on instruction submitted that, on the basis of the complaint given by the petitioners, enquiry was made by the police and it was understood that large amounts are due to respondents 6 to 15 from Mr. Jose. Mr. Jose is contemplating to come to India and it is apprehending that the creditors might approach him demanding the amount, that the complaint has been filed in anticipation thereof.

3. The learned counsel for the petitioners would however submit that there is no transaction between respondents 6 to 15 and

Mr. Jose. Be that as it may, we do not think that the facts in the present case discloses any commission of offence or attempted commission of offence warranting police protection as prayed for. If at all there is any such offence committed or attempt to commit offence, it is always open for the petitioners to approach the police.

With the above observations the writ petition is disposed of.

**ASHOK BHUSHAN,
CHIEF JUSTICE**

**A.M. SHAFFIQUE,
JUDGE**