IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 12234 OF 2025

PETITIONERS:

HASEEB P.H
AGED 39 YEARS
S/O.HASSAN RAWTHER, PALATHU, KARIMBUKAYAM HOUSE,CHENAPPADI P.O.,ERUMELI SOUTH, KOTTAYAM DISTRICT., PIN - 686520

BY ADVS.
ARUN LUCKOSE ABRAHAM
PHILIA KOSHY
M.S.SARUN

RESPONDENTS:

1 **THE DISTRICT POLICE CHIEF KOTTAYAM**
COLLECTORATE BUILDING, KOTTAYAM., PIN - 686002

2 **THE STATION HOUSE OFFICER**
ERUMELY POLICE STATION, ERUMELY P.O.KOTTAYAM., PIN - 686509

3 **THE CHAIRMAN,**
TALUK LEGAL SERVICE COMMITTEE KOTTAYAM, ADR CENTRE,DLSA KOTTAYAM, MUTTAMBALAM., PIN - 686004

4 **THE MANAGING DIRECTOR,**
HINDUJA LEYLAND FINANCE LTD. PLOT NO. C-21, TOWER C (1-3 FLOORS), G BLOCK,BANDRA KURLA COMPLEX, BANDRA(E) MUMBAI,MAHARASHTRA, PIN - 400051

5 **THE MANAGER,**
HINDUJA LEYLAND FINANCE LTD. 2ND FLOOR, CYRILS TOWERS, LOGOS JN. KOTTAYAM., PIN - 686001

BY ADVS.
C.HARIKUMAR
SANDRA SUNNY(K/926/2020)
ARUN KUMAR M.A(K/1197/2021)
FARAH JYOTHI PRADEEP(K/1240/2023)
S.SIVAKUMAR (TVM)(K/545/2007)

GOVERNMENT PLEADER SRI. AJITH VISWANATHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 10th day of April, 2025

The writ petition is filed, to direct the respondents 1 and 2 to afford adequate police protection to the life of the petitioner and his family members from the threats being caused by the respondents 4 and 5.

2. The petitioner had purchased a vehicle bearing Reg.No.KL 34H 6806 by availing financial assistance from the 5th respondent. The petitioner has made substantial payments to the 5th respondent. The 5th respondent has filed a pre-litigation petition before the 3rd respondent, who has issued Ext.P3 notice to the petitioner to appear before the 3rd respondent. However, on the said day when the petitioner appeared, the sitting was cancelled. The 5th respondent is taking hasty steps to re-possess the petitioner's vehicle . The action of the 5th respondent is illegal and arbitrary Hence, the writ petition.

3. Heard; the learned counsel for the petitioner, the learned Government Pleader, the learned counsel for the 3rd respondent and the learned counsel for the respondents 4 and 5.

5. The learned counsel appearing for the 3rd respondent submitted that, even though a notice was issued to the petitioner to appear for pre-litigation settlement talks, the petitioner did not appear before the 3rd respondent. Consequently, the 3rd respondent has closed the pre-litigation petition.

The learned counsel appearing for respondents 4 and 5 submitted that, they would re-possess the petitioner's vehicle only in accordance with law.

Recording the above submissions of the respondents 3 and 5 , the writ petition is closed.

SD/-
C.S.DIAS
JUDGE

rmm/10.4.2025

APPENDIX OF WP(C) 12234/2025

PETITIONER EXHIBITS

Exhibit P1	**A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE VEHICLE BEARING REGISTRATION NO. KL 34H 6806DATED 14-04-2023**
Exhibit P2	**A TRUE COPY OF THE ADALAT PETITION NO. 1982 OF 2025 DATED 25-02-2024 FILED BY THE 5TH RESPONDENT BEFORE THE 3RD RESPONDENT**
Exhibit P3	**A TRUE COPY OF THE NOTICE ISSUED BY THE 3RDRESPONDENT TO THE PETITIONER TO APPEAR BEFORE 3RD RESPONDENT ON 07-03-2025**
Exhibit P4	**A TRUE COPY OF THE LETTER DATED 20-03-2025 SENT BY THE PETITIONER TO THE 4TH RESPONDENT**
Exhibit P5	**A TRUE COPY OF THE POSTAL RECEIPT DATED 20-03-2025**
Exhibit P6	**A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2NDRESPONDENT DATED 21-03-2025**
Exhibit P7	**A TRUE COPY OF THE POSTAL RECEIPT DATED 22-03-2025**
Exhibit P8	**A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 1STRESPONDENT DATED 21-03-2025**
Exhibit P9	**A TRUE COPY OF THE POSTAL RECEIPT DATED 22-03-2025**