

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 18395 of 2015 (Y)

PETITIONER(S) :-

SUDARSAN, AGED 52 YEARS, S/O.KARUNAKARAN,
CALICUT LUNCH HOUSE, PREMIER BUILDING,
COURT ROAD, CALICUT.

BY ADV. SRI.L.RAJESH NARAYAN IYER

RESPONDENT(S) :-

1. SUB INSPECTOR OF POLICE,
KOZHIKODE TOWN POLICE STATION - 673 001.
2. CIRCLE INSPECTOR OF POLICE,
KOZHIKODE TOWN - 673 001.
3. DEPUTY COMMISSIONER OF POLICE,
KOZHIKODE - 673 001.
4. M.P.SURENDRAN, AGED 56 YEARS, S/O.VELAYUDHAN,
38/273, CHAITHANYAM, VADOORMETHEL,
KUTHIRAVATTOM P.O., CALICUT - 673 016.
5. M.BALAN, AGED 49, S/O.ARUMUGHAN,
GREESHMAM, THIRUTHIYAD, PUTHIYARA P.O.,
CALICUT - 673 004.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).NO.18395 OF 2015

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE COMPLAINT DATED 10.6.2015.

EXT.P1(a) :- ENGLISH TRANSLATION OF EXT.P1.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.S. TO JUDGE

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

W.P(C).No. 18395 of 2015

Dated this the 19th June, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking Police protection. It is inter alia contended that the petitioner is the owner of a building, in which a lunch house, namely, 'Calicut Lunch House' is functioning in the first floor, which is being run on the basis of a partnership with the fourth respondent. According to the petitioner, though the fourth respondent had agreed to pay certain amount to the petitioner, the money was not paid. When the petitioner demanded the money, the fourth respondent along with the fifth respondent have destroyed a motor and well situated in the property and have caused damages to other articles. The petitioner is also prevented from entering into the said building.

Though a complaint was given to the Police, no action is taken, hence the petitioner has approached this Court.

2. Having heard learned counsel for the petitioner and the learned Government Pleader, we find that this is a dispute between the petitioner and respondents 4 and 5 in the matter of partnership. Being a business dispute, the Police cannot interfere or resolve the dispute between the parties. The remedy of the petitioner is to approach the appropriate Civil Court and seek necessary reliefs. The Police can interfere only if there is any law and order situation, which has not happened in the matter. We do not think that any orders as prayed for can be passed in the Writ Petition. Accordingly, the Writ Petition is dismissed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs19/6/15