

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 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23991 of 2015 (Y)

PETITIONER:

**MOHANAN, AGED 53 YEARS,
S/O.VASUDEVAN, PARANKIMAMVILA,
NEDUNGOLAM, SOUTH PARAVOOR,
KOLLAM - 691 302.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT(S):

- 1. THE STATION HOUSE OFFIER,
PARAVOOR POLICE STATION, PARAVOOR .P.O.,
KOLLAM DISTRICT - 691 301.**
- 2. THE DISTRICT POLIC CHIEF,
KOLLAM DISTRICT - 691 301.**
- 3. THE MUNICIPAL SECRETARIAT,
MUNCIPAL OFFICE, PARAVOOR,
KOLLAM 691 301.**
- 4. BABY, D/O.BHARGAVI, PUTHEN NADA VAYALIL,
KALAKKODU, PARAVOOR.P.O., KOLLAM - 691 301.**
- 5. RADHAMMA AMMA, D/O.KAMALAKSHY AMMA,
KOTTAYATHU KIZHAKKATHIL VEEDU, KOONAYIL,
PARAVOOR.P.O., KOLLAM DISTRICT - 691 301.**

R1 & R2 BY SENIOR GOVT. PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : A TRUE COPY OF THE NOTICE DATED 18.3.2015 ALONG WITH ENGLISH
TRANSLATION.
- EXT. P2 : A TRUE COPY OF RREPRESENTATION DATED 5.5.2015 ALONG WITH
ENGLISH TRANSLATION.
- EXT. P3 : A TRUE COPY OF RREPRESENTATION DATED 13.5.2015 ALONG WITH
ENGLISH TRANSLATION.
- EXT. P4 : A TRUE COPY OF COMPLAINT DATED 2.7.2015 ALONG WITH ENGLISH
TRANSLATION.
- EXT. P5 : A TRUE COPY OF COMPLAINT DATED 6.7.2015 ALONG WITH ENGLISH
TRANSLATION.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 23991 of 2015

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Dated this, the 7th day of August, 2015

J U D G M E N T

Shaffique, J.

Petitioner has obtained contract from the Paravoor Municipality for conducting vegetable market for the financial year 2015-2016. It is stated that the market has been given on rent to various persons, but when the petitioner approached respondents 4 and 5 for collecting the rent, they refused to pay the same and are threatening the petitioner with dire consequences. Petitioner submitted complaint to the police, but since no action had been taken in the matter, this writ petition is filed seeking police protection.

2. Learned Government Pleader on instructions would submit that on the complaint of the petitioner, parties were summoned to the police station. But, it is a case where respondents 4 and 5 are refusing to pay the rent on the ground that they have no proper amenities in the market.

-:2:-

Having regard to the aforesaid factual situation, we do not think that the police can interfere in this matter and resolve the issue. It is apparently a dispute between the petitioner and respondents 4 and 5 in respect of payment of rent, which cannot be resolved by the police. The remedy of the petitioner is elsewhere and therefore, we do not think that a direction as sought for can be granted in the writ petition. Accordingly, the writ petition is dismissed.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge