

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 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

WP(C).No. 31191 of 2015 (Y)

PETITIONER(S):

1. C.P.MUHAMMED ASHRAF, AGED 39 YEARS,
S/O. SULAIMAN, CHERUPALLIKKAL HOUSE, CHERUPALLY,
AMAYUR P.O, THRIKKALANGODE PANCHAYAT,
MALAPPURAM DISTRICT , PIN - 676123.
2. P.MANSUR AHAMMED, AGED 31, S/O SAITHALAVI,
PULIKKAL HOUSE, CHERUPALLY,
AMAYUR P.O, THRIKKALANGODE PANCHAYAT,
MALAPPURAM DISTRICT, PIN - 676123.
3. V.P.YOUNUS, AGED 25, S/O MAMMAD,
VALIYAPEEDIKAKKAL HOUSE, CHERUPALLY,
AMAYUR P.O, THRIKKALANGODE PANCHAYAT,
MALAPPURAM DISTRICT , PIN - 676123.

BY ADVS.SRI.P.SHAJJAN JOSEPH
SRI.K.K.AJI KUMAR

RESPONDENT(S):

1. CIRCLE INSPECTOR OF POLICE, VANDOOR, MALAPPURAM DISTRICT.
2. SUB INSPECTOR OF POLICE, EDAVANNA POLICE STATION,
EDAVANNA, MALAPPURAM DISTRICT 676 128.
3. KUNJALANKUTTY SAKHAVI, (KHATHEEB OF KARAKUNNU CHERUPALLY
MAHAL), S/O. MUHAMMED, OORSHAMANNU HOUSE, EDIVANNA P.O.,
KALLUNDA, AKAMBADAM, NILAMBOOR, MALAPPURAM DISTRICT - 679343.
4. UMMER, S/O VEERANKUTTY, NEDUNGADAN HOUSE, AMAYUR P.O.,
NEELANGOD, MALAPPURAM DISTRICT-676 123.
5. N.ABDUL MAJEED, (SECRETARY OF KARAKUNNU CHERUPALLY MAHAL),
S/O MUHAMMED, NANNAMBRAKAVIL HOUSE, AMAYOOR P.O.,
NEELANGOD, MALAPPURAM DISTRICT - 676 123.
6. MARAKKAR, S/O UNNIMOYIN, KOTTAKODAN HOUSE,
KARAKUNNU P.O., CHERUPALLY, MALAPPURAM DISTRICT - 676 123.

R1& 2 BY SR.GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONER'S EXHIBITS

EXHIBIT P1 - TRUE COPY OF COMPLAINT DATED 7.10.2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT AND ITS ENGLISH TRANSLATION.

EXHIBIT P1(a) - TRUE COPY OF RECEIPT DATED 8.10.2015 ISSUED FROM EDAVANNA POLICE STATION FOR RECEIVING EXHIBIT P1 COMPLAINT AND ITS ENGLISH TRANSLATION.

RESPONDENT'S EXHIBITS

NIL.

// TRUE COPY //

P.A. TO JUDGE

SOu.

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

W.P(C). No. 31191 of 2015

Dated this the 13th day of October, 2015

JUDGMENT

Shaffique, J

Petitioners have approached this Court alleging that respondents 3 to 6 are trying to preach wrong ideologies in the mosque and prevented petitioners from offering prayers at Cherupally Mahal. Though complaints were given to police in the matter, no action has been taken by the police and hence the petitioners approached this court seeking police protection.

2. Apart from averments made, the issue between the parties relates to the prayers being offered in a particular mosque. The issue in dispute is civil in nature, in which police cannot interfere and resolve the same. Police can interfere only if there is any law and order situation, which is not reflected in the writ petition.

In such circumstances, this court cannot issue any direction as prayed in the writ petition. Reserving the right of

the petitioners to approach the civil court for appropriate relief
the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFIQUE,
JUDGE

SOU.

// True copy //

P.A. To Judge