

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31506 of 2015 (K)

PETITIONER(S) :-

1. DR.MOHAMED ASHRAF S.A., AGED 63,
S/O.LATE SHEIKH AHEMAD, 8/755,
G.C.D.A.HOUSING COMPLEX, SHANTHI NAGAR,
KOOVAPADAM, KOCHI - 682 002.
2. NIZAR MAMOO, AGED 47, S/O.K.V.MAMOO,
3/174, KARIPARAMBIL HOUSE, EDAKOCHI,
FORT KOCHI - 682 001.

BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENT(S) :-

1. KRISHNA DEV GAUR, PROPRIETOR,
UNITED GAS SERVICES, VORCE VAIDYAR ROAD,
JAZARETH, KOCHI - 682 002.
2. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO HOME, SECRETARIAT,
TRIVANDRUM - 695 001.
3. THE CITY POLICE COMMISSIONER,
KOCHI CITY, ERNAKULAM - 682 031.
4. THE DEPUTY COMMISSIONER OF POLICE,
REVENUE TOWERS, ERNAKULAM - 682 011.
5. SUB INSPECTOR OF POLICE,
MATTANCHERRY, MATTANCHERRY P.O., KOCHI - 682 001.
6. SUB INSPECTOR OF POLICE,
THOPPUMPADY P.O., THOPPUMPADY, ERNAKULAM.

R2 TO R6 BY SPL.GOV.T.PLEADER SRI.SUJITH MATHEW JOSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

WP(C).NO.31506 OF 2015

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE JUDGMENT IN W.P.C.16480
OF 2015 DATED 3.6.2015.

EXT.P2 :- TRUE COPY OF THE LETTER ISSUED BY THE
INDIAN OIL CORPORATION DATED 9.9.2015.

EXT.P3 :- TRUE COPY OF THE PETITION FILED BY THE
PETITIONERS BEFORE RESPONDENTS 3 TO 6.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.31506 of 2015

Dated this the 15th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioners have approached this Court seeking for police protection. It is alleged that on the complaint of the petitioners, the Gas Agency run by the first respondent has been cancelled. This has caused enmity towards the petitioners and they are received threatening calls from the first respondent. Though a complaint, Ext.P3, was filed before the police, no action has been taken in the matter.

2. Learned Government Pleader on instructions would submit that enquiry was conducted with reference to Ext.P3 and it was noticed that there was no such incident. In fact, the first respondent is conducting some jobs in the odd hours, which is causing nuisance and inconvenience to the petitioners.

3. Having regard to the aforesaid factual situation, we do not think that the police can interfere in such matters unless any offence is committed or attempt to commit offence. If any such

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situation arises, it is always open for the petitioners to approach the police, who shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt/17.10.2015