

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 35638 of 2015 (D)

PETITIONER:

**MOHAMAD IQBAL KUNJU,
S/O. THAHAKOYA, THUNDIYIL VEEDU, KURATTIKADU,
MANNAR P.O., MANNAR VILLAGE, KURATTIKKADU MURI.**

**BY ADVS.SRI.M.RAMASWAMY PILLAI,
SMT.PREETHY R. NAIR.**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, HOME DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT POLICE CHIEF,
ALAPPUZHA DISTRICT, ALAPPUZHA-689 001.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
MANNAR POLICE STATION, MANNAR-689 622.**
- 4. THE SUB INSPECTOR OF POLICE ,
MANNAR POLICE STATION, MANNAR-689 622.**
- 5. O.S. AHAMAD KUNJU, S/O. SULAIMAN,
ODATTU KIZHAKKATHIL, KURATTISSERI MURI,
KURATTISSERI VILLAGE, MANNAR P.O.,
ALAPPUZHA DISTRICT-689 622.**

R1 TO R4 BY SR. GOVT. PLEADER SRI.C.R. SYAMKUMAR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 35638 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1- THE PHOTOCOPY OF THE AWARD AND ACCEPTED TERMS
AND CONDITIONS OF THE AWARD DATED 7TH DAY OF DECEMBER
2008.**

**EXHIBIT P2- THE PHOTOCOPY OF THE SAID REPRESENTATION ALONG WITH
THE ENGLISH TRANSLATION DATED 29-10-2015.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.S. TO JUDGE

rs.

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.35638 of 2015

Dated this the 25th day of November 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court alleging that the 5th respondent is threatening the petitioner and though the petitioner had given complaint to the police, no action has been taken in the matter.

2. According to the petitioner, he had rented out one shop room to the 5th respondent and later he got it vacated at the instance of the mediators. He had already given the shop room on rent to another person, but the 5th respondent is threatening the petitioner and obstructing the business being carried on in the said shop room.

3. Having regard to the nature of issues projected by the petitioner, we do not think that this Court should interfere in the claim made by the 5th respondent with reference to the said shop room nor can the police involve in the matter. Police can interfere only if there is any law and order situation. Under such

circumstances, we do not think that this Court will be justified in issuing any order, as prayed for.

Accordingly, this writ petition is dismissed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr/25/11/2015

True Copy

PA to Judge