

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

WP(C).No. 38146 of 2015 (P)

PETITIONER:

**SABU PAUL, AGED 41 YEARS,
S/O.LATE E.J.PAULOSE, PROPRIETOR,
MALANAD TOURIST HOME, KANHANGAD,
KASARGOD DISTRICT, PIN-671323, KERALA.**

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF HOME,
GOVERNMENT SECRETARIAT, TRIVANDRUM-695001.**
- 2. SUPERINTENDENT OF POLICE,
OFFICE OF THE SUPERINTENDENT OF POLICE,
KASARGOD, PIN-671373.**
- 3. DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
HOSDURG, KASARAGOD, PIN-671373.**
- 4. SUB INSPECTOR OF POLICE,
KANHANGAD POLICE STATION,
KASARGOD DISTRICT, PIN-671323, KERALA.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 38146 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT. P1 : TRUE COPY OF PHOTOGRAPHS DEPICTING THE MEETINGS THAT
 OBSTRUCT THE PUBLIC PATHWAY AND ENTRY TO THE HOTEL.**

**EXT. P2 : TRUE COPY OF THE REPRESENTATION DATED 24.11.2015 SUBMITTED
 BY THE PETITIONER TO THE SUPERINTENDENT OF POLICE AND
 OTHERS.**

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 38146 of 2015

Dated this the 16th day of December, 2015

J U D G M E N T

The petitioner, who is holding land on the west side of Kanhangad - Kasargode State Highway and conducting a hotel, has approached this Court alleging that in front of the petitioner's hotel, political parties and other parties are conducting meetings, whereby the ingress and egress to the petitioner's hotel is obstructed. He also alleges that it has become a permanent nuisance for him.

This Court is of the view that the 2nd respondent has to take necessary action in this regard by restraining unauthorized holding of meetings or gathering in front of the petitioner's hotel. The 2nd respondent shall also ensure that before holding any meeting as such, necessary permission is obtained from him. While granting such a permission, the 2nd respondent shall ensure that ingress and egress including vehicular access

..2..

to the petitioner's hotel, is not obstructed. Further, if it is found that it is not possible to conduct such gathering or meeting without causing obstruction to the public way and State Highway and to the ingress and egress including vehicular access to the petitioner's hotel, necessarily, no permission shall be granted to such meetings. In the light of the above, immediate decision shall be taken on Ext.P2 representation submitted by the petitioner.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE