HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 12731 OF 2023 (GM-POLICE)

BETWEEN:

SRI. MUHAMMED SAFEER M.,
S/O IBRAHIM
AGED ABOUT 35 YEARS
PARTNERS OF M/S SPICY KITCHEN
DOOR NO 2-331/8, PLAZA AVENUE
NEAR YEANPOVA MEDICAL COLLEGE
DERALAKATTE
MANGALURU
KARANATAKA -575 018
R/AT MADATHIL
THUNERI (PO), NADAPURAM
KOZHIKODE (DT)
KERALA STATE -673 505

...PETITIONER

(BY SRI. SOMAN. P.K., ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

AND:

1. THE COMMISSIONER OF POLICE
MANGALURU CITY
PANDESHWAR
MANGALURU- 57 5001
DAKSHINA KANNADA

2. THE STATION HOUSE OFFICER
ULLAL POLICE STATION
MANGALURU -575 020
DAKSHINA KANNADA

3. HASAINAR ABDUL KHADER

S/O ABDUL KHADER ALIS QATAR HAJI
QATAR RESIDENCE, THAHLANKKARA
KASARAGODU
DT- 671 122
KERALA STATE
ALL REP BY
THE PUBLIC PROSECUTOR
THE STATE OF KARNATAKA
HIGH COURT OF KARNATAKA
BENGALURU- 560 001

…RESPONDENTS

(BY SRI.MANJUNATH K., HCGP FOR R1 & R2
R3 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE R1 AND 2 TO PROVIDE PROTECTION TO THE LIFE OF THE PETITIONER AND THE MEMBERS OF HIS FAMILY FROM ANY ASSAULT, AGGRESSION OR ATTACK FROM THE R3 AND ANYBODY UNDER THEM.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following reliefs.

> ***"i. To issue a writ of mandamus or any other appropriate writ order or direction, directing the respondent Nos.1 and 2 to provide protection to the life of the petitioner and the members of his family from any assault, aggression or attack from the 3rd respondent and anybody under them.***

ii. To issue a writ of mandamus or any other appropriate writ order or direction, directing the respondent Nos.1 and 2 to provide protection to the life of the petitioner against the illegal acts of the respondent No.3. and anybody under them for the smooth conduct and functioning of the restaurant business.

iii. To issue a writ of mandamus or any other appropriate writ order or direction, directing the respondent Nos.1 and 2 to take appropriate action on the complaint produced as annexure-c submitted by the petitioner without any further delay; and

iv. Grant such other equitable relief as this Hon'ble Court deem fit and proper in the facts and circumstances of the case, in interest of justice."

2. As there was no representation on behalf of the petitioner on 16.04.2026, the matter was directed to be listed under the caption for 'dismissal' today. Today also there is no representation.

3. Learned HCGP submits that they cannot grant police protection as per the Circular issued by the Director General of Police in the year 2018. It is submitted that as far as the third prayer is concerned, as the dispute is civil in nature, they have already issued an endorsement in that regard on 30.08.2023.

4. Considering the fact that the respondent-police have already informed the petitioner that they cannot entertain the complaint as the same is civil in nature and the other two reliefs i.e., protection, cannot be granted by the respondents.

5. Accordingly, recording the submissions of the learned HCGP, the writ petition is ***disposed of.***

4. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 26