

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH P.

FRIDAY, THE 15TH DAY OF MAY,2020/25TH VAISAKHA, 1942

W.P(C) NO. 9980 OF 2020

PETITIONER :

MOLLY PHILIP,AGED 52 YEARS, W/O.TOMY THOMAS,
DIRECTOR, M/S. ISDC PROJECTS INDIA PVT. LTD,
4TH FLOOR, NO.10/1, LAKSHMI NARAYANA COMPLEX,
VASANT NAGAR, BENGALURU, KARNATAKA - 560 052.

BY ADVS.M.U.VIJAYALAKSHMI
BRIJESH MOHAN
NEETU VINOD

RESPONDENTS :

1. THE ASSISTANT COMMISSIONER OF POLICE,
THRIKKAKARA, COCHIN - 682 024.
2. THE CIRCLE INSPECTOR OF POLICE,
INFOPARK POLICE STATION, KAKKANAD.
3. M/S. NIRMAL INFOPARK INDIA LIMITED
INFOPARK, KAKKANAD,
REPRESENTED BY ITS MANAGING DIRECTOR.

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 15.05.2020,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Admit.

2. The learned Government Pleader appears for R1 and R2. Issue notice by speed post/e-mail to R3.

3. The writ petition is filed on the allegation of Police harassment. The learned senior counsel Sri. Jaju Babu appearing for the petitioner would submit that the petitioner is running an Educational Institution in the premises belonging to the third respondent. He states that the construction of a ramp for providing access to disabled persons is being objected to by the third respondent though they had consented to it initially as per Ext.P2. It is submitted that respondents 1 and 2 have absolutely no jurisdiction to interfere in a private dispute between the petitioner and the third respondent and that the agreement between them contains a clause providing for arbitration in the event of any dispute.

4. Taking note of the above, I direct respondents 1 and 2, not to interfere in any civil dispute between the petitioner and the third respondent pending disposal of this writ petition. If any law and order situation is reported necessarily the respondents 1 and 2 shall take appropriate action.

**GOPINATH P.
JUDGE**

ncd

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE LEASE AGREEMENT EXECUTED BETWEEN THE PETITIONER AND THE 3RD RESPONDENT DATED 1.4.2019.

EXT.P2 : TRUE COPY OF THE EMAIL SENT ON BEHALF OF THE 3RD RESPONDENT TO THE PETITIONER ON 4.3.2020.

EXT.P3 : TRUE COPY OF THE EMAIL SENT BY THE PROJECT MANAGER OF THE 3RD RESPONDENT TO THE PETITIONER ON 06.05.2020 FORWARDING THE DRAFT AGREEMENT.

EXT.P4 : TRUE COPY OF THE AGREEMENT DATED 5.5.2020 SIGNED AND FORWARDED BY THE PETITIONER TO THE 3RD RESPONDENT.

EXT.P5 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE RESPONDENTS 1 & 2.

RESPONDENTS' EXHIBITS : NIL

TRUE COPY

PA TO JUDGE