

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

SATURDAY, THE 20TH DAY OF DECEMBER 2014/29TH AGRAHAYANA, 1936

WP(C).No.8542 of 2013 (P)

PETITIONERS:

1. JOSE M.D,S/O.DEVASSY,MUNDADAN HOUSE,
ANGAMALY P.O.,PIN-683572.
2. BABU,S/O.MARY POULOSE,PARACKA HOUSE,
ANGADIKADAVU,ANGAMALY P.O.,PIN-683 572.
3. RAPPAL,S/O.POULOSE,CHERUMADATHIL HOUSE,
VAPPALASSERY P.O.,ANGAMALY,PIN-683572.
4. LIJO PAUL,S/O.ALIAMMA POULOSE,
MALIYEKAL HOUSE,ANGADIKADAVU,
ANGAMALY P.O.,PIN-683572.

BY ADV. SRI.WILSON URMESSE

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE,
ANGAMALY P.O., PIN-683572.
2. THE CIRCLE INSPECTOR OF POLICE,
ANGAMALY P.O.,PIN-683 572.
3. ANGAMALY MUNICIPALITY,REPRESENTED BY ITS SECRETARY,
MUNICIPAL OFFICE,ANGAMALY P.O.,PIN-683 572.
4. THE SUB REGIONAL TRANSPORT OFFICER,
ANGAMALY P.O.,PIN-683 572.
5. AUTORICKSHAW DRIVERS/OPERATORS UNION (INTUC),
AUTO STAND,NEAR KSRTC BUS STATION,ANGAMALY P.O.,
PIN-683 572,REPRESENTED BY ITS SECRETARY.
6. AUTORICKSHAW DRIVERS/OPERATORS UNION(CITU),
AUTO STAND,NEAR KSRTC BUS STATION,ANGAMALY P.O.
PIN-683 572,REPRESENTED BY ITS SECRETARY.

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- 7. AUTORICKSHAW DRIVERS/OPERATORS UNION(BMS)
 AUTO STAND,NEAR KSRTC BUS STATION,ANGAMALY P.O.
 PIN-683 572,REPRESENTED BY ITS SECRETARY.**

**R1,R2 & R4 BY GOVT. PLEADER SRI.C.R.SYAM KUMAR
R3 BY ADV. SRI.V.M.KURIAN, SC, ANGAMALY MUNICIPALITY
R5 TO R7 BY ADV. SRI.K.S.RAJEEV (ALUVA)**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-12-2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT-P1:TRUE COPY OF THE CERTIFICATE OF REGISTRATION ISSUED TO
VEHICLE BEARING REG.NO.KL-63 A-6005 BY THE ADDL.
REGISTERING AUTHORITY DATED 16.2.2013.**

**EXHIBIT-P2:TRUE COPY OF THE CERTIFICATE OF REGISTRATION ISSUED TO
VEHICLE BEARING REG.NO.KL-63 A-6477, BY THE ADDL.
REGISTERING AUTHORITY DATED 07.03.2013.**

**EXHIBIT-P3:TRUE COPY OF THE CONTRACT CARRIAGE PERMIT ISSUED TO
VEHICLE BEARING REG.NO.KL-63 A - 2092, BY THE
ADDL.REGISTERING AUTHORITY DATED 14.09.2012.**

**EXHIBIT-P4:TRUE COPY OF THE CONTRACT CARRIAGE PERMIT ISSUED TO
VEHICLE BEARING REG.NO.KL-63 A -2803, BY THE ADDL.
REGISTERING AUTHORITY DATED 09.10.2012.**

**EXHIBIT-P5:TRUE COPY OF THE CONTRACT CARRIAGE PERMIT
NO.P.CO.63/237/2013 DATED 19.2.2013, ISSUED TO THE 1ST
PETITIONER'S VEHICLE BY THE SECRETARY,RTA,ANGAMALY.**

**EXHIBIT-P6:TRUE COPY OF THE CONTRACT CARRIAGE PERMIT
NO.P.CO.63/360/2013 DATED 11.3.2013, ISSUED TO THE 2ND
PETITIONER'S VEHICLE BY THE SECRETARY,RTA,ANGAMALY.**

**EXHIBIT-P7:TRUE COPY OF THE CONTRACT MARRIAGE PERMIT
NO.P.CO.63/1446/2012 DATED 5.10.2012, ISSUED TO THE 3RD
PETITIONER'S VEHICLE BY THE SECRETARY,RTA,ANGAMALY.**

**EXHIBIT-P8:TRUE COPY OF THE CONTRACT CARRIAGE PERMIT
NO.P.CO.63/2091/2012 DATED 22.12.2012, ISSUED TO THE 4TH
PETITIONER'S VEHICLE BY THE SECRETARY,RTA,ANGAMALY.**

**EXHIBIT-P9:TRUE COPY OF THE REPRESENTATION DATED 19.3.2013
SUBMITTED BY THE PETITIONERS BEFORE THE SI OF POLICE,
ANGAMALY.**

**EXHIBIT-P10:TRUE COPY OF THE STATEMENT DATED 28.2.2013 SUBMITTED BY
THE 3RD RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

Ashok Bhushan, Ag. C.J & A.M. Shaffique, J.

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W.P (C) No. 8542 of 2013

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Dated this, the 20th day of December, 2014.

J U D G M E N T

Shaffique, J.

Petitioners have approached this Court seeking police protection for parking/operating their autorickshaws near to KSRTC Bus Station. They contended that as per the permit issued to them, they are entitled to park their vehicles in the permitted area near the KSRTC Bus Stand, Angamaly.

2. An interim order had been passed by this Court on 19.4.2013 directing police protection to be granted in the event of any obstruction by party respondents 5 to 7 or their men.

3. Learned counsel for the petitioners submits that after the interim order, there is no law and order situation.

4. In so far as the petitioners are entitled to park their vehicles in the permitted area, the same cannot be obstructed by the party respondents. If there is any obstruction, the petitioners shall file appropriate complaint

before the police, who shall consider the same and take necessary action.

With the above observation, the writ petition is closed.

Sd/-

Ashok Bhushan, Ag. Chief Justice

Sd/-

A.M. Shaffique, Judge.

Tds/