

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Con.Case(C).No. 440 of 2015 (S)

AGAINST THE JUDGMENT IN W.P.(C).NO.17148/2012, DATED 18-12-2013

PETITIONER(S) :

**N. PRAKASH, AGED 50 YEARS,
S/O.A.NARAYANA RAO, 3RD SEMESTER (5 YEAR) LL.B,
GOVERNMENT LAW COLLEGE, ERNAKULAM,
RESIDING AT PRAJITH VIHAR, AYINI ROAD, MARADU P.O.,
ERNAKULAM - 682 304.**

BY ADV. SRI.N.PRAKASH (PARTY-IN-PERSON)

RESPONDENT(S) :

- 1. K.G.JAMES, IPS, AGED 59 YEARS,
S/O.P.E.GEORGE, COMMISSIONER OF POLICE, KOCHI CITY,
ERNAKULAM - 682 011.**
- 2. V.VIMAL, AGED 33 YEARS,
S/O.C.K.VIJAYAN, SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM - 682 018.**
- 3. DR.LOVELY POULOSE,
AGE AND FATHER'S NAME, NOT KNOWN TO THE PETITIONER,
PRINCIPAL, GOVERNMENT LAW COLLEGE, ERNAKULAM,
KOCHI - 682 011.**
- 4. B.SRINIVAS IAS,
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER,
SECRETARY, DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM - 695 001.**
- 5. VISHAK.K,
7TH SEMESTER (5 YEAR) LL.B, GOVERNMENT LAW COLLEGE,
ERNAKULAM, KOCHI - 682 011.**

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1: THE CERTIFIED COPY OF THE JUDGMENT IN W.P.(C).NO.17148 OF 2012 DATED 18.12.2013 OF THIS HON'BLE COURT.
- ANNEXURE A2: TRUE COPY OF THE AFFIDAVIT FILED BY THE 4TH RESPONDENT IN CONT.CASE (C)NO.90 OF 2014 DATED 20.02.2014.
- ANNEXURE A3: TRUE COPY OF THE AFFIDAVIT FILED BY THE 1ST RESPONDENT DATED 05.07.2014 IN CONT.CASE (C) NO.90 OF 2014.
- ANNEXURE A4: TRUE COPY OF THE AFFIDAVIT FILED BY THE 2ND RESPONDENT DATED 05.07.2015 IN CONT.CASE (C) NO.90 OF 2014.
- ANNEXURE A5: THE CERTIFIED COPY OF THE JUDGMENT DATED 11.02.2015 IN CONT.CASE(C)NO.90 OF 2014.
- ANNEXURE A6: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER DATED 11.02.2015 BEFORE THE PUBLIC INFORMATION OFFICER, GOVERNMENT LAW COLLEGE, ERNAKULAM DATED 11.02.2015.
- ANNEXURE A7: TRUE COPY OF THE REPLY GIVEN BY THE PUBLIC INFORMATION OFFICER, GOVERNMENT LAW COLLEGE, ERNAKULAM DATED 04.03.2015 SERVED ON THE PETITIONER ON 11.03.2015.
- ANNEXURE A8: TRUE ENGLISH TRANSLATION OF ANNEXURE A7.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

**ASHOK BHUSHAN, Ag.CJ
& A.M.SHAFFIQUE, J.**

Cont.Case No.440 of 2015

Dated this the 20th day of March 2015

J U D G M E N T

Shaffique,J

This contempt case has been filed alleging wilful contempt of the directions issued in the judgment dated 18/12/2013 in W.P.C.No.17148/2012. It is inter alia contended that there was a strike on 13/03/2015 by which certain student organisation, under the leadership of 5th respondent, organised a strike in the college disrupting the functioning of the college.

2. In fact, by judgment dated 18/12/2013, this Court had, after taking into consideration the various judgments relating to conduct of strike in the college, has given general directions to the police to interfere as and when there is a request by the Principal of the College.

3. The learned Government Pleader submits that whenever there is a request by the Principal, police used to interfere in the matter and maintain law and order.

4. Mainly for the reason that on a particular occasion the Principal did not call the police by itself will not amount to wilful contempt of the directions of the judgment. Therefore, we do not find any reason to issue any order in this contempt case. Accordingly this contempt case is dropped.

(sd/-)

**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

