

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

RP.No. 66 of 2015 () IN WP(C).22228/2013

(AGAINST ORDER / JUDGMWNET OF HIGH COURT OF KERALA DATED
26.02.2014 IN WP(C) 22228 OF 2013

AGAINST ORDER OF HIGH COURT OF KERALA DATED 30.09.2013 IN
WP(C) 22228 OF 2013)

REVIEW PETITIONER(S)/13TH & 14TH ADDITIONAL RESPONDENTS:

1. BEERAN K C, AGED 69 YEARS,
S/O. ABUBACKER, KODAKKANCHERY HOUSE,
MEPPADY P.O., KOTTAPADY VILLAGE,
VYTHIRI THALUK, WAYANAD DISTRICT.
2. IBRAHIM, AGED 61 YEARS,
S/O. HASSANKUTTY, PERIYANGADAN HOUSE,
MEPPADY P.O., KOTTAPADY VILLAGE,
VYTHIRI THALUK, WAYANAD DISTRICT.

BY ADVS.SRI.P.V.SREENIVASAN
SRI.K.A.SREEJITH

RESPONDENT(S)/PETITIONER & RESPONDENTS 1 TO 12:

1. RAJAGIRI RUBBER & PRODUCE COMPANY LTD.,
ADMINISTRATIVE OFFICE, DOOR NO. 27/1032
PANAMPILLY NAGAR, KOCHI - 36
KERALA, REPRESENTED BY GILBERT D'SOUZA
ASSISTANT VICE PRESIDENT H.R & ADMINISTRATION.
2. STATE OF KERALA
REP. BY ITS CHIEF SECRETARY TO GOVERNMENT
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.
3. SECRETARY TO GOVERNMENT
DEPARTMENT OF HOME AFFAIRS,
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM - 695 001.

4. DIRECTOR GENERAL OF POLICE
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM - 695 001.
5. THE DISTRICT COLLECTOR
CIVIL STATION, KALPETTA,
WAYANAD DISTRICT - 673 112.
6. SUPERINTENDENT OF POLICE
KALPETTA NORTH, WAYANAD DISTRICT - 673 112.
7. SUB INSPECTOR OF POLICE
MEPPADY POLICE STATION, MEPPADY P.O
PIN - 673 577.
8. WYNAD ESTATE LABOUR UNION
CENTRE OF INDIAN TRADE UNIONS (C.I.T.U)
VYTHIRI - 673 576
REPRESENTED BY ITS GENERAL SECRETARY.
9. WYNAD THOTTAM THOZHILALI UNION
ALL INDIA TRADE UNION CONGRESS (A.I.T.U.C)
VYTHIRI - 673 576
REPRESNETED BY ITS GENERAL SECRETARY.
10. ESTATE MAZDOOR UNION
HIND MAZDOOR SANGH (H.M.S) ,
MEPPADY P.O., PIN - 673 577
REPRESENTED BY ITS SECRETARY.
11. MALABAR ESTATE WORKERS UNION
INDIAN NATIONAL TRADE UNION CONGRESS
(I.N.T.U.C)
MEPPADY P.O., PIN - 673 577, REPRESENTED
BY ITS GENERAL SECRETARY.
12. KOZHIKODE DISTRICT PLANTATION LABOUR
CONGRESS (P.L.C)
MEPPADY P.O, PIN - 673 577
REPRESENTED BY ITS GENERAL SECRETARY.
13. KERALA STATE ESTATE AND PLANTATION
WORKERS UNION
TRADE UNION CONGRESS OF INDIA (T.U.C.I)
KALPETTA, WAYTANAD - 673 112
REPRESENTED BY ITS GENERAL SECRETARY.

R1 BY SRI.M.GOPIKRISHNAN NAMBIAR

R2 TO R7 BY SRI.SANEER P.M., SR. GOVERNMENT PLEADER

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
04-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
A.MUHAMED MUSTAQUE, JJ.

.....
R.P.No.66 of 2015
in
WP(C) No.22228 of 2013
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Dated this the 4th day of February, 2015.

O R D E R

Thottathil B.Radhakrishnan, J.

Additional respondent Nos.13 and 14 in the writ petition are the review petitioners.

The writ petition was filed by the establishment seeking an order directing the police authorities to extend protection. On 30.09.2013, an interim order was granted as prayed for in the writ petition. That interim relief was only for protection against the activities of respondent Nos.7 to 12. That being so, the said interim order does not operate against additional respondent Nos.13 and 14 in the writ petition, who are the review petitioners. All that was done through the judgment sought to be reviewed is to make absolute the aforementioned interim order and to dispose the writ petition accordingly. Under such circumstances, all that needs to be clarified is that the judgment sought to be reviewed and the

interlocutory order passed in WP(C) No.22228 of 2013 do not in any manner operate as against additional respondent Nos.13 and 14 in that writ petition, who are the review petitioners herein, unless of course their activities fall as agents of either or all among respondent Nos.7 to 12 in the writ petition. We also record the submission that there is a civil suit pending between the review petitioners and the establishment. That will have to take in due course. The judgment sought to be reviewed cannot be utilised to take any action by police force as against the review petitioners. It is so clarified. The review petition is ordered accordingly.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(A.MUHAMED MUSTAQUE, JUDGE)

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