

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 2658 of 2012 (F)

PETITIONER :

**M/S.VELAKODE RUBBER AND RECLAIMS PRIVATE LIMITED
A COMPANY REGISTERED UNDER THE COMPANIES ACT
VELAKODE INDUSTRIAL DEVELOPMENT PLOT
MUNDOOR P.O., THRISSUR, PIN CODE 680541
REPRESENTED BY ITS DIRECTOR K.K.IBRAHIM
AGED 53, S/O.K.E.KASIM, KAROTHUKUDY HOUSE
VP-111-3 PALLIPURAM, MUDICAL P.O.,
ERNKUALAM DISTRICT, PIN CODE- 683 547.**

**BY ADVS.SRI.P.N.RAMAKRISHNAN NAIR
SRI.P.VISWANATHAN**

RESPONDENT(S) :

- 1. ASSISTANT COMMISSIONER OF POLICE
GURUVAYOOR, TRICHUR DISTRICT, PIN CODE – 680101.**
- 2. CIRCLE INSEPCTOR OF POLICE
PERAMANGALAM, TRICHUR DISTRICT
PIN CODE – 680555.**
- 3. SUB INSEPCTOR OF POLICE
PERAMANGALAM, TRICHUR DISTRICT
PIN CODE – 680555.**

***ADDL. R4 & ADDL. R5 IMPEADED**

***ADDL.R4. THE SECRETARY
KAIPARAMBA GRAMA PANCHAYATH
MUNDOOR P.O., THRISSUR – 680 541.**

***ADDL.R5. KERALA STATE POLLUTION CONTROL BOARD
PATTOM P.O., THIRUVANANTHAPURAM – 695 004.**

***ADDL. R4 & R5 ARE IMPEADED SUO MOTU AS PER ORDER DT. 9.2.12**

**R1 TO R3 BY SR. GOVT. PLEADER SRI. C.R. SYAMKUMAR
ADDL.R4 BY ADVS. SRI.T.M.CHANDRAN
SRI.V.A.SASIDHARAN
SRI.JOSEPH ALBIN NEDUNTHALLY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...3/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1- TRUE PHOTOCOPY OF THE PROCEEDING DATED 12.8.2009 OF THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, TRICHUR.
- EXHIBIT P2- TRUE PHOTOCOPY OF THE AGREEMENT DATED 20.8.2009.
- EXHIBIT P3- TRUE PHOTOCOPY OF THE CONSENT ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.
- EXHIBIT P4- TRUE PHOTOCOPY OF THE NOTICE DATED 10.11.2011 ISSUED BY THE KAIPARAMBU GRAMA PANCHAYATH.
- EXHIBIT P5- TRUE PHOTOCOPY OF THE EXPLANATION DATED 11.11.2011 SUBMITTED BEFORE KAIPARAMBU GRAMA PANCHAYATH.
- EXHIBIT P6- TRUE PHOTOSTAT COPY OF THE INTERIM ORDER DATED 24/11/2011 IN WPC NO.31372 OF 2011.
- EXHIBIT P6(a)- TRUE PHOTOSTAT COPY OF THE INTERIM ORDER DATED 25.1.2012 IN WPC NO.31372 OF 2011.
- EXHIBIT P7- TRUE PHOTOCOPY OF THE PETITION DATED 28.11.2011 SUBMITTED BY THE PETITIONER.
- EXHIBIT P8- TRUE PHOTOCOPY OF THE COMPLAINT DATED 30.12.2011 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P9- TRUE PHOTOCOPY OF THE COMPLAINT DATED 19.1.2012 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P10- TRUE PHOTOCOPY OF THE COMPLAINT DATED 20.1.2012 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P11- TRUE PHOTOCOPY OF THE F.I.R IN CRIME NO.72 OF 2012 OF PERAMANGALAM POLICE STATION.
- EXHIBIT P12- TRUE COPY OF THE REPRESENTATION DATED 21.1.2012 SUBMITTED BEFORE THE 1ST RESPONDENT.
- EXHIBIT P13- TRUE COPY OF THE F.I.R NO.76 OF 2012 OF PERAMANGALAM POLICE STATION.

RESPONDENTS' EXHIBITS : **NIL**

//TRUE COPY//

P.A. TO JUDGE

Mn

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.2658 of 2012

Dated this the 23rd day of November 2015

J U D G M E N T

Shaffique, J

This writ petition is filed seeking police protection alleging that obstruction has been created by certain people in the locality regarding functioning of the factory.

2. The learned Government Pleader on instructions, would submit that during the pendency of the writ petition, no untoward incident has been reported.

3. The learned counsel appearing for the additional 4th respondent/Panchayat submits that presently the unit is not functioning.

4. Having regard to the aforesaid factual situation, we do not think that any direction, as sought for, is required to be passed. We however observe that if any cause of action arise in future, it shall be open for the petitioner to approach the police authorities.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)
(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr/23/11/2015

True Copy

PA to Judge