

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 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 755 of 2015 (T)  
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PETITIONER(S):  
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HARI SRI VIDYA NIDHI,  
POONKUNNAM, THRISSUR-680 002,  
REPRESENTED BY ITS SECRETARY,  
LATHA VENUGOPAL, AGED 61 YEARS,  
W/O. VENUGOPAL, RESIDING AT 'MEGHNA',  
SHANTHI NAGAR DESOM, AYYANTHOLE VILLAGE,  
THRISSUR TALUK AND DISTRICT.

BY ADVS. SMT. P.K. PRIYA  
SMT. MONCY FRANCIS

RESPONDENT(S):  
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1. DIRECTOR GENERAL OF POLICE,  
THIRUVANANTHAPURAM - 695 001.
2. SUPERINTENDENT OF POLICE,  
THRISSUR DISTRICT, THRISSUR - 680 001.
3. THE DEPUTY SUPERINTENDENT OF POLICE,  
THRISSUR DISTRICT - 680 001.
4. THE CIRCLE INSPECTOR OF POLICE,  
WEST POLICE STATION, AYYANTHOLE,  
THRISSUR DISTRICT - 680 018.
5. SUB INSPECTOR OF POLICE,  
WEST POLICE STATION, AYYANTHOLE,  
THRISSUR DISTRICT - 680 018.
6. DAVIS JOY, CHIRANKANDATH HOUSE,  
C.R. IYUNNI ROAD, MYLIPADAM,  
THRISSUR - 680 020.
7. AUSTIN C.D., CHIRAYATH HOUSE,  
P.O. PONKUNNAM, THRISSUR - 680 002.

8. SIJO JOY, KOLLANUR, CRA-16,  
M.R. VASU ROAD, AYYANTHOLE,  
THRISSUR - 680 003.
9. LEO LOUIS,  
ELUVATHINKAL HOUSE,  
KIZHAKKUMPATTUKARA,  
THRISSUR - 680 005.
10. BOBBY JOSE. C,  
CHIRAKKEKARAN HOUSE,  
BISHOP PALACE ROAD,  
EAST FORT, THRISSUR - 680 005.
11. JAMES VADAKKAN,  
VADAKKAN HOUSE, FLAT No. GB,  
HARI SRI SAROVARAM APARTMENT,  
GOSSAIKUNNU, KURIACHIRA, THRISSUR - 680 009.
12. KUNJIPAVOO N.I,  
NELLISSERI HOUSE, OLLUKKARA P.O.,  
KAALATHODU, THRISSUR - 680 009.
13. AMJAD ZAHEER V.K.,  
23/9/11, VADAKKEPADATHU HOUSE,  
KOTTILIL LINE, KANATTUKARA,  
THRISSUR - 680 005.
14. ANTHONY T.K.,  
THARAYIL HOUSE, PALLIKULAM ROAD,  
THRISSUR - 680 001.
15. BIJU KALLIKKAD,  
KALLIKKAD HOUSE, P.O., PALLISSERI,  
PALAKKAL, THRISSUR - 680 006.
16. GEORGE JOE, CHIRIYANKANDATHU HOUSE,  
C.R. IYYUNNI ROAD, MYLIPADAM,  
THRISSUR - 680 020.
17. JEBIN G. KALLIATH,  
KALLIATHU HOUSE,  
12 GANDHI NAGAR MAIN STREET,  
CHEROOR ROAD, PERINGAVU,  
THRISSUR - 680 005.
18. JAISON P.V.,  
PANAKKAL HOUSE, S4, SARAYU APARTMENTS,  
SOORYAGRAMMAM, EAST FORT THRISSUR- 680005.
19. JOSEPH C. JOSE,  
CHIRAKKEKARAN HOUSE,  
BISHOP PALACE ROAD, EAST FORT, THRISSUR 680 005.

20. MITHIN GEORGE K.,  
KALLIATH HOUSE, 12,  
GANDHI NAGAR MAIN STREET,  
CHEROOR ROAD, PERINGAVU, THRISSUR 680 005.

R1 TO R5 BY SR. GOVERNMENT PLEADER, SRI.C.R.SYAMKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09-01-2015,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

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EXT.P1 - TRUE COPY OF THE NOTICE OF THE ANNUAL GENERAL MEETING OF HARI SRI  
VIDYA NIDHI DATED 10.12.2014

EXT.P2 - TRUE COPY OF THE ELECTION NOTICE ISSUED BY THE RETURNING OFFICER  
DATED 21.12.2014.

EXT.P3 - TRUE C COPY OF THE COMPLAINT ALONG WITH THE ACKNOWLEDGMENT OF THE  
POLICE OFFICIALS OF WEST POLICE STATION, THRISSUR.

RESPONDENTS' EXHIBITS

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NIL

/TRUE COPY/

PA TO JUDGE

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

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W.P.(C). No. 755 of 2015  
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Dated this the 9<sup>th</sup> day of January, 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard learned counsel for the petitioner and the learned Government Pleader appearing for the State.

2. By this writ petition, the petitioner has prayed for a mandamus directing the respondents 1 to 5 to grant adequate and effective police protection for the smooth conduct of the 29<sup>th</sup> Annual General Body Meeting and the executive committee election scheduled to be held on 11.01.2015.

3. The learned Government Pleader, after obtaining instructions, submits that, Circular No.28 of 2013 dated 20.11.2013 has already been issued by the State Police Chief instructing all police officers to ensure that election to the Managing Committees of Co-operative Societies are

conducted smoothly without any disturbances to the law and order. The said circular has been issued in compliance of the Division Bench judgment dated 17.10.2013 in W.P(C). No.24603 of 2013. It is useful to quote the directions issued issued by the State Police Chief on 20.11.2013, which reads as follows :-

“1. The police should ensure that the elections to the managing committees of co-operative societies within their jurisdiction are conducted smoothly without any disturbances to the law and order.

2. On receiving information about any impending election, the concerned Station House Officer is to inquire with the Returning Officer as to whether or not he expects any disturbances in the election and if necessary provide such police assistance required to conduct the elections smoothly.

3. The District Police Chief will ensure that the orders of the High Court regarding the conduct of election to various co-operative societies are strictly complied with.”

4. In view of the general directions as noted above,

police authorities are obliged to take steps to ensure that elections are conducted peacefully without any disturbances. Returning Officer may also request for necessary police assistance for conduct of election, if so required. There being already the above directions by Police Chief, as noted above, it is observed that, proper measures would be taken for conduct of election.

With this observation, the writ petition is disposed of.

Sd/-  
**ASHOK BHUSHAN,  
ACTING CHIEF JUSTICE**

Sd/-  
**A.M.SHAFFIQUE,  
JUDGE.**

sou.