

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

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C).No. 953 of 2015 (T)

PETITIONER(S):

VIJU OOMMEN AGED 45 YEARS
S/O. OOMMEN MURAVASSERIL HOUSE
VELLAMKULAM PADINJERE MURI, ERAVIPEROOR VILLAGE
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI. R. SANTHOSH BABU

RESPONDENT(S):

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1. SUPERINTENDENT OF POLICE
PATHANAMTHITTA DISTRICT, PATHANAMTHITTA - 689 645.
 2. THE SECRETARY
ERAVIPEROOR GRAMA PANCHAYAT, KOZHIMALA P.O.
ERAVIPEROOR - 689 541.
 3. THE SUB INSPECTOR OF POLICE
THIRUVALLA POLICE STATION, THIRUVALLA - 689 101.
 4. K.D. VARGHESE
KADATHENTHARA HOUSE, VALLAMKULAM P.O.
THIRUVALLA - 689 541.
 5. NIVIN VARGHESE
S/O. K.C. VARGHESE, KADATHENTHARA HOUSE
VELLAMKULAM P.O., THIRUVALLA - 689 541.

R1-R3 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN
R BY ADV. SRI. T.P. PRADEEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 953 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF LICENCE ISSUED BY SECOND RESPONDENT TO V.K.MONACHAN
DATED 27/12/2014 WITH ENGLISH TRANSLATION.

EXT.P2: TRUE COPY OF LICENCE ISSUED BY 2ND RESPONDENT TO E.M.KURIAKOSE DATED
27/12/2014 WITH ENGLISH TRANSLATION.

EXT.P3: TRUE COPY OF COMPLAINT FILED BY PETITIONER BEFORE 3RD RESPONDENT
DATED 06/01/2015 WITH ENGLISH TRANSLATION.

EXT.P4: TRUE COPY OF RECEIPT ISSUED BY 3RD RESPONDENT TO THE PETITIONER DATED
06/01/2015 WITH ENGLISH TRANSLATION.

EXT.P5 : TRUE COPY OF THE COMPLAINT DATED 10.01.2015 SUBMITTED BEFORE THE 3RD
RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sou.

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

W.P.(C). No. 953 of 2015

Dated this the 28th day of January, 2015

J U D G M E N T

Shaffique, J

Petitioner claims to be the manager of two brick manufacturing units, operating on the basis of Ext.P1 and P2 licence from the Grama Panchayat.

2. According to the petitioner, respondents 4 and 5 and their men are interfering with the operation of his units, without any authority. The petitioner points out an incident which happened on 24.12.2014 where by the movement of vehicles and work was obstructed by the private respondents. On account of such illegal obstruction, a complaint has been filed before the police, which is Ext.P3. But no action has been taken by the police against the illegal actions of respondents 4 and 5. Therefore, the petitioner has approached this Court seeking a direction to render adequate police protection.

3. Though notice was ordered to Respondents 4 and 5, there is no appearance on their behalf.

4. Learned State Attorney on instructions would submit that on the basis of a complaint given by the petitioner, respondents 4 and 5 were summoned to the police station and they have informed that they will not cause any obstruction. Having regard to the aforesaid submissions, we observe that if any law and order situation arises, police has to interfere and do the needful.

This writ petition is therefore disposed of directing the police to ensure that law and order situation is being maintained in the matter relating to operation of the petitioner's unit.

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

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

SOU.