

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN

&

THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 2169 of 2015 (U)

PETITIONER:

JILSHA, AGED 32 YEARS
WIFE OF SHAIJU VK, VELLAMAYIL HOUSE, EDAKKURISSI
KARIMBA, PALAKKAD 678597

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE
KALLADIKODE POLICE STATION, PALAKKAD, PIN-678 613

2. CENTRE FOR INDIAN TRADE UNIONS (CITU)
KALLADIKODE UNIT, KALLADIKODE, PALAKKAD PIN-678597
REPRESENTED BY ITS SECRETARY

3. SWATHANTRA THOZHILALI UNION (STU)
KALLADIKODE UNIT, KALLADIKODE, PALAKKAD PIN-678597
REPRESENTED BY ITS SECRETARY

4. HINDUSTAN PETROLEUM CORPORATION LTD
KOCHI LPG REGIONAL OFFICE, SEA PORT AIRPORT ROAD
IRIMPANAM P.O., COHIN 682309
REPRESENTED BY ITS SENIOR REGIONAL MANAGER.

Addl.5. DISTRICT HEAD LOAD WORKERS WELFARE BOARD,
REP. BY DISTRICT OFFICER, PALAKKAD, PIN - 678 001.

Addl.6. ASSISTANT LABOUR OFFICER
MANNARKAD, PIN - 678 582. ADDL.R5 AND R6 ARE IMPEADED AS
PER ORDER DATED 28.01.2015 IN IA 1227/15.

R5,R6 BY ADV. SRI.C.S. AJITH PRAKASH, SC, KHWWB
R2 & R3 BY ADV. SRI.P.K.VIJAYAMOHANAN
R2 & 3 BY ADV. SRI.NISHIL.P.S.
R1 BY SENIOR GOVERNMENT PLEADER SRI. T. RAMAPRASAD UNNI
BY SRI.M.GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2169 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS

EXT P1:A TRUE COPY OF THE COMPLAINT ALONG WITH ACKNOWLEDGMENT.

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

smv

THOTTATHIL B.RADHAKRISHNAN & K. HARILAL, JJ.

W.P.(C) No. 2169 of 2015

Dated this the 3rd day of February, 2015

J U D G M E N T

Thottathil B. Radhakrishnan,J.

- 1.The petitioner is appointed as distributor for LPG. She has sought for a direction to the jurisdictional police to afford protection to carry out her activities. The private respondents who are trade unions have pointed out that the petitioner is attempting to have an anticipatory order without really having any cause of action for relief.
- 2.The learned senior Government Pleader with the statement on record, says that there is no law and order problem and any complaint as to disruption of lawful activities will be appropriately addressed in accordance with law. We record this submission.
- 3.The learned standing counsel for the Kerala Head Load Workers Welfare Fund Board submits that the area is not covered by any scheme under the Kerala Head Load

Workers Welfare Fund Act. Under such circumstances, the area being one not covered under the scheme, the petitioner will be at liberty to employ head load workers of her own choice.

In the result, this writ petition is ordered directing that the police will maintain vigil in terms of what is noted above and do the needful if and when any occasion arises.

Sd/-

THOTTATHIL B.RADHAKRISHNAN, JUDGE

Sd/-

K. HARILAL, JUDGE

//true copy//

P.A. To Judge

smv