

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 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

WP(C).No. 2459 of 2015 (F)

PETITIONERS :

1. MOUNT ZION COLLEGE OF ENGINEERING,
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649
REPRESENTED BY ITS PRINCIPAL IN CHARGE - K. MATHEW.
2. M. YOGESH, AGED 34, S/O.MOHANAN POTTI,
STAFF ASSOCIATION SECRETARY,
MOUNT ZION COLLEGE OF ENGINEERING
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649.

BY ADVS.SRI.V.PHILIP MATHEW
SRI.GIBI.C.GEORGE

RESPONDENTS :

1. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM-695 001.
2. THE DISTRICT POLICE CHIEF, PATHANAMTHITTA - 689 645.
3. THE DEPUTY SUPERINTENDENT OF POLICE,
PATHANAMTHITTA - 689 645.
4. THE CIRCLE INSPECTOR OF POLICE, PATHANAMTHITTA-689 645.
5. THE SUB INSPECTOR OF POLICE,
ARANMULA POLICE STATION - 689 533.
6. STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HOME AFFAIRS,
KERALA GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

7. MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS, KOTTAYAM-686 560
REPRESENTED BY ITS REGISTRAR.
8. THE VICE CHANCELLOR,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS, KOTTAYAM-686 560.
9. THE REGISTRAR,
MAHATMA GANDHI UNIVERSITY,
PRIYADARSHINI HILLS, KOTTAYAM-686 560.
10. SECRETARY, STUDENTS FEDERATION OF INDIA(SFI),
MOUNT ZION COLLEGE OF ENGINEERING,
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649.
11. SECRETARY, KERALA STUDENTS UNION (KSU),
MOUNT ZION COLLEGE OF ENGINEERING,
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649.
12. SECRETARY, AKHILA BHARATHIYA VIDYARTHI PARISHAT(ABVP),
MOUNT ZION COLLEGE OF ENGINEERING,
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649.
13. SECRETARY, CAMPUS FRONT,
MOUNT ZION COLLEGE OF ENGINEERING,
KADAMMANITTA, PATHANAMTHITTA DISTRICT-689 649.

R1 TO R6 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR
R7 TO R9 BY SRI.VARUGHESE M.EASO, SC, M.G.UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1 : TRUE COPY OF THE NOTICE DATED 23.02.2012 ISSUED BY THE PRINCIPAL OF PETITIONER COLLEGE.

EXT.P2 : TRUE COPY OF THE JUDGMENT DATED 11.04.2012 PASSED BY THIS HON'BLE COURT IN WPC NO.8339/2012.

EXT.P3 : TRUE COPY OF THE NOTICE DATED 04.02.2013 ISSUED BY THE PRINCIPAL OF THE COLLEGE.

EXT.P4 : TRUE COPY OF JUDGMENT DATED 30.01.2014 PASSED BY THIS HON'BLE COURT IN WPC NO.29740/2013.

EXT.P5 : TRUE COPY OF REPRESENTATION DATED 04.02.2014 SUBMITTED BY THE FIRST PETITIONER TO THE 5TH RESPONDENT.

EXT.P6 : TRUE COPY OF REPRESENTATION DATED 06.02.2014 SUBMITTED BY THE FIRST PETITIONER TO THE 2ND RESPONDENT.

EXT.P7 : TRUE COPY OF OFFICE ORDER DATED 16.10.2014 ISSUED BY THE PRINCIPAL OF THE FIRST PETITIONER COLLEGE.

EXT.P8 : TRUE COPY OF THE REPRESENTATION DATED 21.10.2014.

EXT.P9 : TRUE COPY OF THE NOTIFICATION DATED 08.01.2015 ISSUED BY THE 9TH RESPONDENT ALONG WITH THE INSTRUCTIONS FOR THE CONDUCT OF COLLEGE UNION ELECTIONS.

EXT.P10 : TRUE COPY OF THE JUDGMENT DATED 27.09.2012 PASSED BY THIS HON'BLE COURT IN WPC NO.22481/2012.

EXT.P11 : TRUE COPY THE RELEVANT PAGES OF THE LYNGODH COMMITTEE REPORT.

EXT.P12 : TRUE COPY OF THE REPRESENTATION DATED 21.01.2015.

EXT.P13 : TRUE COPY OF THE RECEIPT DATED 21.01.2015.

EXT.P13(A) : ENGLISH TRANSLATION OF EXT.P3.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 2459 OF 2015

Dated this the 23rd day of January, 2015

JUDGMENT

Shaffique, J.

Heard learned counsel for the petitioner, learned Government Pleader and learned Standing Counsel for the Mahatma Gandhi University.

2. The petitioners seek police protection for smooth conduct of the College Union election for the academic year 2014-15 in the first petitioner College. Having regard to the fact that the Principal of the College apprehends law and order situation in the conduct of election and as it is imminent for the petitioner to ensure maintenance of law and order, a complaint has already been filed before the police authorities. But petitioner apprehends that police may not render necessary assistance. Learned counsel for the petitioner submits that even in the previous year, this Court had directed to maintain law and order situation.

3. Having regard to the aforesaid situation, there will be a direction to respondents 4 and 5 to ensure

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-:2:-

maintenance of law and order during the conduct of election in the first petitioner's College.

The Writ Petition is disposed of as above.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**

ttb/23/01