

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 5522 of 2013 (M)

PETITIONER(S):

- 1. ST.STEPHEN'S COLLEGE, PATHANAPURAM,
REPRESENTED BY ITS MANAGER,
PATHANAPURAM - 689 695.**
- 2. THE PRINCIPAL, ST.STEPHEN'S COLLEGE,
PATHANAPURAM - 689 695.**

**BY SRI.BABU VARGHESE (SENIOR ADVOCATE)
ADV. SRI.DAVID JOSEPH**

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
PATHANAPURAM P.O., PIN - 689 695.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
PUNALUR P.O., PIN - 691 305.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE,
PUNALUR - 691 305.**
- 4. MUHAMMED THAHA M., SECRETARY,
KSU UNIT COMMITTEE, S/O.MUHAMMED ISMAIL,
THAHA MANZIL, PATHIRIKAL P.O.,
PATHANAPURAM, PIN - 689 695.**
- 5. SANDEEP S, SFI UNIT SECRETARY,
S/O.SUVARNNAN J, SOUPARNIKA,
KUNNIKODU P.O., PIN - 681 508.**
- 6. DHEERAJ G., ABVP UNIT SECRETARY,
S/O.GOPINATHAN NAIR P.K., JAYADEEPAM,
ERATHUVADAKKU, PATTAZHY - 691 522.**
- 7. CHINDHU B, AISF UNIT SECRETARY,
S/O.BAHULEYAN N., CHARUVUKALAYIL,
PATHIRIKAL P.O., PATHANAPURAM - 689 695.**

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8. SHAN A, S/O.ABDUL SHUKKOOR,
ROADARIKIL PUTHEN VEEDU,
VELAYAMCHIRA, MANCODE P.O., PIN - 689 694.
 9. AJEESH MUHAMMED S., S/O.SAINUDEEN,
ANEESH BHAVAN MULLOOR NIRAPPU,
MANCODE P.O., PIN - 689 694.
 10. AL-AMAN S, S/O.C.S.SALIM,
MANIKANDANCHIRA THAZHATHU,
PALAMOODU, KUNDAYAM P.O.,
PATHANAPURAM, PIN - 689 695.
 11. SHEMEER A, S/O..ABDUL SALAM M.RAWTHER,
SHEMEER MANZIL, UNDAYAM P.O.,
PATHANAPURAM, PIN - 689 695.
 12. JINU MON.S., S/O.SOMAN D., ELLUMVILA VEEDU,
NJARAKKADU, THALAVOOR, PIN - 691 508.
 13. SULFI S, S/O.SAINUDEEN,
SULFI MANZIL EDATHARA, KALANJOOR, PIN - 689 694.
 14. SHAKKIM S., S/O.SHAKKIM HUSSAIN,
KANJIRATHIN KEEZHIL PATHIRIKAL,
PATHANAPURAM, PIN - 689 695.
- R4 & R8 TO R14 BY ADVS. SRI.P.B.PRADEEP
SRI.K.SANEESH KUMAR
R5 BY ADVS. SRI.P.V.SURENDRANATH
SMT.BINDUMOL JOSEPH
SRI.B.S.SYAMANTHAK
R1 TO R3 BY SENIOR GOVT. PLEADER SRIC.R..SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

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APPENDIX

PETITIONER(S) EXHIBITS :

- EXT.P-1: TRUE COPY OF THE COMPLAINT FILED BY THE PRINCIPAL OF THE COLLEGE BEFORE THE 1ST RESPONDENT.
- EXT.P1(A): TRUE COPY OF THE COMPLAINT FILED BY THE INJURED STUDENTS BEFORE THE 2ND PETITIONER.
- EXT.P-2: TRUE COPY OF THE FIR FILED IN THE CASE OF VISHNU S.NATH.
- EXT.P2(A): TRUE COPY OF THE FIR FILED IN THE CASE OF RAMAN G.RAGHAVAN.
- EXT.P2(B): TRUE COPY OF THE COMPLAINT FILED BY THE CHAIRMAN OF THE COLLEGE UNION BEFORE THE 2ND PETITIONER.
- EXT.P-3: TRUE COPY OF THE MINUTES OF THE STAFF COUNCIL MEETING HELD ON 8.2.2012.
- EXT.P3(A): TRUE COPY OF THE SUSPENSION ORDER DATED 8.2.2013 ISSUED BY THE PRINCIPAL.
- EXT.P-4: TRUE COPY OF THE NEWS REPORT APPEARED IN THE MALAYALA MANORAMA ON 13.2.2013.
- EXT.P4(A) TRUE COPY OF THE NEWS REPORT APPEARED IN MATHRUBHUMI ON 13.2.2013.
- EXT.P-5: TRUE COPY OF THE MINUTES OF THE STAFF COUNCIL MEETING HELD ON 13.2.2013.
- EXT.P-6: TRUE COPY OF THE NOTICE DATED 13.2.2013 SENT TO THE 4TH RESPONDENT BY THE ENQUIRY COMMITTEE.
- EXT.P6(A): TRUE COPY OF THE POSTAL RECEIPTS SHOWING THE DETAILS OF THE NOTICES SENT TO THE SUSPENDED STUDENTS
- EXT.P6(B): TRUE COPY OF THE MINUTES OF THE ENQUIRY COMMITTEE HELD ON 18.2.2013.
- EXT.P-7: TRUE COPY OF LETTER DATED 18.2.2013 GIVEN BY THE PTA PRESIDENT TO THE MANAGER.
- EXT.P7(A): TRUE COPY OF THE MINUTES OF THEA MEETING OF THE PTA EXECUTIVE COMMITTEE HELD ON 21.2.2013.
- EXT.P-8: TRUE COPY OF THE MINUTES OF THE STAFF COUNCIL HELD ON 21.2.2013.
- EXT.P8(A) TRUE COPY OF THE FORWARDING LETTER OF THE PRINCIPAL DATED 21.2.2013.

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- EXT.P-9: TRUE COPY OF THE MINUTES OF THE MEETING OF THE GOVERNING BODY HELD ON 22.2.2013.**
- EXT.P9(A): TRUE COPY OF THE MINUTES OF THE MEETING OF THE PTA GENERAL BODY HELD ON 22.2.2013.**
- EXT.P-10: TRUE COPY OF THE NOTICE DATED 23.2.2013 CIRCULATED AND PUBLISHED BY THE PRINCIPAL BANNING POLITICAL ACTIVITIES IN THE CAMPUS.**
- EXT.P10(A): TRUE COPY OF THE LETTER DATED 23.2.2013 GIVEN TO THE 1ST RESPONDENT BY PRINCIPAL.**
- EXT.P-11: TRUE COPY OF THE JUDGEMENT IN WPC NO.18199 OF 2011 DATED 12.7.2011.**
- EXT.P11(A): TRUE COPY OF THE JUDGEMENT IN WPC NO.21188 OF 2011 DATED 5.8.2011.**
- EXT.P-12: TRUE COPY OF THE REQUEST DATED 25.7.2015 SUBMITTED TO THE 3RD RESPONDENT.**
- EXT.P-13: TRUE COPY OF THE NEWS ITEM WHICH APPEARED IN MATHRUBHUMI DAILY DATED 30.9.2015 ALONG WITH ENGLISH TRANSLATION.**
- EXT.P-13(A): TRUE COPY OF THE NEWS ITEM WHICH APPEARED IN THE MALAYALA MANORAMA DAILY DATED 30.9.2015 ALONG WITH ENGLISH TRANSLATION.**

RESPONDENTS' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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

W.P.(C) No. 5522 OF 2013

Dated this the 25th day of November, 2015

JUDGMENT

Shaffique, J.

This writ petition has been filed seeking police protection. It is alleged that respondents 4 to 14 were obstructing the functioning of the College. An interim order had been passed by this Court on 04.03.2013 which still continues.

2. Learned Government Pleader submits that based on the interim order, as and when there was request from the College Authorities, police had given appropriate protection and ensured that law and order is maintained.

3. Learned counsel for the petitioners submits that they apprehend physical obstruction on account of the election scheduled to be conducted in the College.

4. Learned Government Pleader submits that on the request of the College authorities, police shall render necessary protection to ensure law and order situation.

We take on record the above submission of learned Government Pleader and close the Writ Petition.

**Ashok Bhushan,
Chief Justice.**

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