

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 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 6029 of 2015 (C)

PETITIONER :-

KARTHIKEYAN
VAYALITHARA, AAYIRAMTHENGU, ALUMPEEDIKA
OACHIRA, KARUNAGAPPALLY, KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS :-

1. CHIEF SECRETARY, GOVERNMENT OF KERALA
SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. DISTRICT COLLECTOR, COLLECTORATE, KOLLAM-691013.
3. DISTRICT SUPPLY OFFICER, SUPPLY OFFICE, KOLLAM-691013.
4. ASST. COMMISSIONER OF POLICE,
KARUNAGAPPALLY, KOLLAM DISTRICT-691013.
5. THE SUB INSPECTOR OF POLICE, OACHIRA, KOLLAM-691013.
6. BABU, PARABRAHMAM VEEDU, AAYIRAMTHENGU, CHERIYAZHEECKAL P.O.
KARUNAGAPPALLY, KOLLAM-690518.
7. VINOD, ANJALY, AAYIRAMTHENGU, ALUMPEEDIKA P.O.
KARUNAGAPPALLY, KOLLAM-690547.
8. BABU, MADURAPPALLY, AAYIRAMTHENGU, ALUMPEEDIKA P.O.
KARUNAGAPPALLY, KOLLAM-690547.
9. SAJU, MARACKASSERIL VEEDU, AAYIRAMTHENGU, ALUMPEEDIKA P.O.
KARUNAGAPPALLY, KOLLAM-690547.

R6-R9 BY ADV. SRI.BIJO THOMAS GEORGE

SRI.N.P.PRAJEESH

R1-R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1- TRUE COPY OF THE MINUTES SHOWING THE ELECTION OF PETITIONER AND OTHERS AS THE OFFICE BEARERS OF THE SREE NARAYANA DHARMA SEVA SANGHAM DATED 01-04-2012.

EXHIBIT P1(a)- TRUE TRANSLATION OF THE MINUTES OF SREE NARAYANA DHARMA SEVA SANGHAM DATED 01-04-2012.

EXHIBIT P2- TRUE COPY OF SUCH A COMPLAINT SUBMITTED BY THE PETITIONER DISTRICT SUPPLY OFFICER, DATED 16-01-2015.

EXHIBIT P2(a)- TRUE TRANSLATION OF THE COMPLAINT SUBMITTED BY THE PETITIONER DISTRICT SUPPLY OFFICER, DATED 16-01-2015.

EXHIBIT P3- TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE SUPPLY OFFICER, KOLLAM.

EXHIBIT P4- TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE DISTRICT COLLECTOR, KOLLAM DATED 26-01-2015.

EXHIBIT P5- TRUE PHOTO SHOWING THE STORING OF KEROSENE IN THE COMPOUND WALL NURSERY SCHOOL.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.6029 of 2015

Dated this the 6th day of March 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard the learned counsel for the petitioner, the learned Government Pleader and the learned counsel appearing for respondent Nos.6 to 9.

2. This writ petition has been filed seeking for a direction to respondent Nos.1 to 5 to give adequate and effective police protection to the lives of the petitioner, his family members and the office bearers of Sree Narayana Dharma Seva Sangham (SNDSS) and the peaceful management of the nursery school under the administration of SNDSS and also to take legal action against respondent Nos.6 to 9 and their men.

3. The petitioner claims to be the President of SNDSS and allegations have been made in the writ petition against respondent Nos.6 to 9. It is alleged that although several complaints have been filed against the anti-social activities of

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the private respondents including black marketing of ration kerosene by keeping and selling of barrels in the nursery school compound, no action has been taken in the matter. The petitioner, in this context, filed a complaint, Ext.P4 addressed to the District Collector and copies of which were sent to the Assistant Commissioner of Police, Karunagappally, the Circle Inspector of Police, Karunagappally and the Sub Inspector of Police, Oachira.

4. A counter affidavit has been filed by the 8th respondent, wherein, it is alleged that the President has not called any General Body Meeting for the last four years and several other allegations were made against the petitioner in the counter affidavit. In so far as the issue regarding the Sangham, its office bearers and its affairs are concerned, we see no need to enter or examine the same in a police protection matter.

5. Learned Government Pleader submits that the complaint has been received and appropriate enquiry has been made. It is further submitted that the District Collector has also made certain enquiry. In so far as the allegations made in the complaint regarding the anti-social activities and

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keeping the ration kerosene in the compound of nursery school, the Sub Inspector of Police shall keep a vigil and ensure that no such activities are conducted in the compound of the nursery school.

With this observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE