

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 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 6804 of 2015 (A)

PETITIONER(S) :

JAMES JOHNY PARAPPILLY, AGED 53 YEARS
NO.12/448/1-2, VILLADAM BUS STOP XII, VILLADOM
R.V.PURAM, THRISSUR

BY ADV. SMT.VIJAYAKUMARI

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF HOME
STATE SECRETARIAT, THIRIVANANTHAPURAM-695 001

2. THE CITY POLICE CHIEF
TRISSUR CITY, TRISSUR - 680001

3. CIRCLE INSPECTOR OF POLICE
VIYYOOR POLICE STATION, VIYYOOR, TRISSUR - 680001

4. SUB INSPECTOR OF POLICE
VIYYOOR POLICE STATION, VIYYOOR TRISSUR - 680001

5. THE LOCAL SECRETARY (LOADING AND UNLOADING)
CITU, ULAADAM, TRISSUR - 680001

6. THE LOCAL SECRETARY (LOADING AND UNLOADING)
INTUC, ULLADAM THRISSUR.680001

7. THE LOCAL SECRETARY (LOADING AND UNLOADING)
BMS ULLADAM, TRISSUR - 680001

8. C.K.POLLY
HEAD LOAD WORKER, VILLADAM TRISSUR - 680001

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9. C.V.ASOKAN
HEAD LOAD WORKER, VILLADAM, TRISSUR - 680001

10. P.K. RAJAN
HEAD LOAD WORKER, VILLADAM, TRISSUR - 680001

11. T.S.SIVARAMAN
HEAD LOAD WORKER, VILLADAM, TRISSUR - 680001

12. T.N.RAJAGOPALAN
HEAD LOAD WORKER, VILLADAM, TRISSUR - 680001

BY GOVERNMENT PLEADER SRI. C.R. SHYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 04-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).No. 6804 of 2015 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:TRUE COPY OF THE CERTIFICATE
ISSUED TO THE PETITIONER UNDER
KERALA SHOPS AND COMMERCIAL
ESTABLISHMENTS ACT

P2:TRUE COPY OF CERTIFICATE ISSUED
TO THE PETITIONER FROM COMMERCIAL
TAXEWS DEPARTMENT DATED 11.02.2014

P3:TRUE COPY OF THE REQUEST
SUBMITTED BY THE PETITIONER BEFORE
THE 1ST RESPONDENT

P4:NOTICE DATED 09.01.2015 BY 9 TO
13 RESPONDENTS

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

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W.P. C. No. 6804 of 2015 – I
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Dated this the 4th day of March, 2015

JUDGMENT

Shaffique, J.

Petitioner has approached this Court seeking police protection. He complains that the private respondents are demanding loading and unloading work in the business being carried on by the petitioner. According to the petitioner, he along with his brother is doing the loading and unloading work in their shop.

2. It is not in dispute that the area in question is a Scheme covered area. If the petitioner has to engage workers for loading and unloading , he has to engage the pool workers attached to the Board. However, if the petitioner is doing the loading and

unloading work by himself, he has to engage the pool workers. According to the petitioner, a demand has been made by the pool workers to engage them in the the loading and unloading work. Such contingency arises only if the petitioner is engaging any other workers for the loading and unloading work.

The averments in the Writ Petition does not disclose any law and order situation in the area . However, if the petitioner is doing the loading and unloading work himself, and if there is any obstruction, on the complaint of the petitioner, the police shall look into the matter and do the needful.

With the above observation, this Writ Petition is closed.

Sd/-- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,
JUDGE

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/truecopy/

P.S.toJudge