

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 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 9764 of 2014 (U)

PETITIONER(S) :-

M.M. KAMAL, S/O.MUHAMMED KUNJU,
ADUPARAMBU MARANGATTU VEETIL, MOOVATTUPUZHA.

BY ADV. SRI.P.K.BABU

RESPONDENT(S) :-

1. SUPERINTENDENT OF POLICE, PATHANAMTHITTA - 689 645.
2. SUB INSPECTOR OF POLICE
KODAL, PATHANAMTHITTA - 689 645.
3. SUPERINTENDENT OF POLICE,
KOLLAM RURAL, KOLLAM - 691 001.
4. K.ASOKAN,
CONVENER, ALL INDIA TRADE UNION CONGRESS (AITUC)
MANGODE P.O., KOLLAM - 691 015.
5. S.JAMALUDHEEN
CONVENER, CENTRE OF INDIAN TRADE UNIONS (CITU)
MANGODE P.O., KOLLAM - 691 015.
6. P.HANEEFA, CONVENER
INDIAN NATIONAL TRADE UNION CONGRESS (INTUC)
MANGODE P.O., KOLLAM - 691 015.
7. USUF, CONVENER
KERALA TRADE UNION CONGRESS (MANI) (KTUC(M)
MANGODE P.O., KOLLAM - 691 015.
8. SYED MASOOD, CONVENER
KERALA TRADE UNION CONGRESS (BALAKRISHNA PILLA) KTUC (B)
MANGODE P.O., KOLLAM - 691 015.
9. AHAMED, CONVENER
INDIAN NATINAL LABOURERS CONGRESS (INLC)
MANGODE P.O., KOLLAM - 691 015.

10. S.ACHUTHAN NAIR
CONVENER, CENTRE OF INDIAN TRADE UNIONS (CITU), KONNI
PATHANAMTHITTA - 689 691.
11. P.V.BOSE
GENERAL SECRETARY, BHARATHIYA MASDOOR SANGHAM (BMS)
KONNI, PATHANAMTHITTA - 689 691.
12. A.K.DEVARAJAN
PRESIDENT, ALL INDIA TRADE UNION CONGRESS (AITUC)
KONNI, PATHANAMTHITTA - 689 691.
13. P.G.NARAYANAN NAIR (DELETED),
PRESIDENT, KERALA TRADE UNION CONGRESS (MANI)
KTUC (M), ARAVUPPALAM, PATHANAMTHITTA - 689 645.

(R13 IS EXPIRED AND HENCE DELETED FROM PARTY ARRAY SUO
MOTU AS PER ORDER DATED 07/04/2014)

14. R.SUKUMARAN NAIR, GENERAL SECRETARY
PATHANAMTHITTA JILLA FOREST DEPOT LOADING &
GENERAL WORKERS UNION,
INDIAN NATIONAL TRADE UNION CONGRESS (INTUC)
KODUMON, PATHANAMTHITTA - 691 555.

R1-R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN
R11 BY ADV. SMT.A.K.PREETHA
SRI.C.ANIL KUMAR
R10, R12 & R14 BY ADV. SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1 : COPY OF THE AGREEMENT DATED 26/3/2014 WITH ENGLISH TRANSLATION.

EXHIBIT P2 : CERTIFICATE ISSUED BY THE VILLAGE OFFICER KALANJOOR WITH ENGLISH TRANSLATION DATED 24/3/2014 STATING THE DESCRIPTION OF THE TIMBERS IN THE PROPERTY COVERED BY EXHIBIT P1.

EXHIBIT P3 : COPY OF THE PETITION DATED 28/3/2014 FILED BEFORE THE SUB INSPECTOR OF POLICE, KODAL, PATHANAMTHITTA.

EXHIBIT P4 : COPY OF THE PETITION DATED 28/3/2014 FILED BEFORE THE SUPERINTENDENT OF POLICE, PATHANAMTHITTA.

EXHIBIT P5 : COPY OF THE PETITION DATED 28/3/2014 FILED BEFORE THE SUPERINTENDENT OF POLICE, KOLLAM(RURAL), KOLLAM.

EXHIBIT P6 : COPY OF THE RECEIPT WITH ENGLISH TRANSLATION ISSUED BY THE KODAL POLICE STATION FOR THE RECEIPT OF EXHIBIT P3.

EXHIBIT P7 : COPY OF THE RECEIPT WITH ENGLISH TRANSLATION ISSUED BY THE SUPERINTENDENT OF POLICE PATHANAMTHITTA FOR THE RECEIPT OF EXHIBIT P4.

RESPONDENT(S) ' EXHIBITS :-

EXT.R10(a) : TRUE COPY OF THE JUDGMENT DATED 12.7.2011 IN WP (C)No.5295/2011.

EXT.R10(b) : TRUE COPY OF THE JUDGMENT DATED 23.5.2011 IN WP (C)No.11447/2011.

EXT.R11(a) : TRUE COPY OF THE INTERIM ORDER DATED 22.8.2007 IN WP(C) 24926/2007.

EXT.R11(b) : TRUE COPY OF THE ORDER PASSED BY THE RJLC, KOLLAM DATED 31.1.2011.

EXT.R11(c) : TRUE COPY OF THE JUDGMENT DATED 12.7.2011 IN W.P. (C) 5295/2011.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.9764 of 2014

Dated this the 18th day of November 2015

J U D G M E N T

Shaffique, J.

This writ petition is filed seeking for police protection in the matter relating to cutting and removal of timber.

2. Learned counsel for the private respondents submits that the matter had been settled long back and the entire work had also been completed.

3. The facts being so, we do not think that any direction as sought for can be granted in this writ petition.

Accordingly, we close the writ petition with liberty to the petitioner to approach the police, if there is any further cause of action.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
JUDGE**