

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 10336 of 2014 (N)

PETITIONER :

MANAVALAN METALS
REPRESENTED BY ITS MANAGING PARTNER JINTTO THOMAS,
ROOFING FRAME WORKS UNIT, PUTHENVELIKKARA
PUTHENVELIKKARA P.O., ERNAKULAM.

BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU
SRI.K.A.ANAS
SRI.SANIL JOSE

RESPONDENTS :

1. THE SUB INSPECTOR OF POLICE
PUTHENVELIKKARA POLICE STATION, NORTH PARUR
ERNAKULAM-683 513.
 2. THE DISTRICT HEADLOAD AND GENERAL WORKERS UNION (CITU),
REPRESENTED BY ITS SECRETARY, PUTHENVELIKKARA UNIT
PUTHENVELIKKARA P.O., ERNAKULAM-683 594.
 3. INTUC,
REPRESENTED BY ITS SECRETARY, PUTHENVELIKKARA UNIT
PUTHENVELIKKARA P.O., ERNAKULAM-683 594.
- ADDL 4. SECRETARY, KERALA HEADLOAD WORKERS WELFARE BOARD,
ERNAKULAM
(SUO MOTU IMPEADED AS PER ORDER DATED 09.04.2014)

RADDL4 BY ADV. SRI.C.S. AJITH PRAKASH, SC, KHWWB
R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 10336 of 2014 (N)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT-P1-TRUE COPY OF THE REGISTRATION IN COMMERCIAL TAXES
DEPARTMENT, GOVERNMENT OF KERALA ISSUED BY THE
COMMERCIAL TAX OFFICER, NORTH PARAVOOR DATED 23/11/2012.

EXHIBIT-P2-TRUE COPY OF THE LICENCE ISSUED BY THE PUTHENVELIKKARA
GRAMA PANCHAYATH DATED 05/04/2014.

EXHIBIT-P3-TRUE COPY OF THE APPLICATION FOR REGISTRATION
DATED 19/03/2014.

EXHIBIT-P4-TRUE COPY OF THE APPLICATION FOR REGISTRATION
DATED 19/03/2014.

EXHIBIT-P5-TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER TO THE IST RESOPNDENT DATED 03/04/2014.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 10336 OF 2014

Dated this the 17th day of November, 2015

JUDGMENT

Shaffique, J.

This writ petition has been filed seeking police protection. Petitioner is conducting a small scale unit under the name and style "Manavalan Metals". He is engaged in the production and sale of Roofing Frame Works and supply of metal pipes and roofing sheets etc.

2. According to the petitioner, he has his own permanent workers having identity cards under Rule 26A of the Headload Workers Rules, 1981. That apart, the area is not a scheme covered area. However, members of respondents 2 and 3 Unions are creating obstruction to the functioning of the petitioner's establishment by demanding loading and unloading work. Though a complaint has been given to the Police, no action has been taken.

Having regard to the aforesaid factual circumstances we direct the 1st respondent to ensure that law and order

situation is maintained in the matter relating to the loading and unloading work being carried on by the petitioner by engaging his own permanent workers.

The Writ Petition is disposed of as above.

**Ashok Bhushan,
Chief Justice.**

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