

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 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C) .No. 11666 of 2015 (G)

PETITIONER(S) :-

P.ARUN KUMAR, AGED 34 YEARS, S/O.KARUNAKARAN,
PROPRIETOR, MALABAR FERTILIZERS AND CHEMICALS,
INDUSTRIAL DEVELOPMENT PLOT,
WEST HILL POST, KOZHIKKODE DISTRICT - 673 005.

BY ADV. SRI.I.V.PRAMOD

RESPONDENT(S) :-

1. THE DISTRICT POLICE CHIEF (CITY POLICE COMMISSIONER) ,
KOZHIKKODE CITY, KOZHIKKODE DISTRICT - 673 001.
2. SUB INSPECTOR OF POLICE, VELLAYIL POLICE STATION,
KOZHIKKODE DISTRICT, PIN - 673 005.
3. ASSISTANT LABOUR OFFICER,
3RD CIRCLE, CIVIL STATION, KOZHIKKODE.
4. SECRETARY, HEAD LOAD WORKERS UNION (C.I.T.U) ,
BEECH ROAD, NEAR KERALA SOAPS AND OIL LTD. ,
WESTHILL, KOZHIKKODE, PIN - 673 005.
5. CHAIRMAN, KERALA STATE HEAD LOAD WORKERS WELFARE FUND BOARD,
DISTRICT OFFICE, CHEROOTY ROAD, KOZHIKKODE.

R5 BY ADV. SRI.P.M.M.NAJEEB KHAN, SC

R1 & R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08-04-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

Petitioner's Exhibits :-

Ext.P1 :- True copy of the judgment in W.P.(C) No.23485/2014 dated 13/11/2014 of this Hon'ble Court.

Ext.P2 :- True copy of the identity card issued to an employee namely Gokul Mandal dated 19/1/2015.

Ext.P2(a) :- True translation of Ext.P2.

Ext.P3 :- True copy of the identity card issued to Sarkar Noyaichandra dated 19/1/2015.

Ext.P3(a) :- True translation of Ext.P3.

Ext.P4 :- True copy of the identity card issued to Emanur Rehman dated 19/1/2015.

Ext.P4(a) :- True translation of Ext.P4.

Ext.P5 :- True copy of the identity card issued to Paritosh Sutradhar dated 19/1/2015.

Ext.P5(a) :- True translation of Ext.P5.

Ext.P6 :- True copy of the representation submitted by the petitioner before the 2nd respondent dated 1/4/2015.

Ext.P6(a) :- True translation of Ext.P6.

Ext.P7 :- True copy of acknowledgement issued by the 2nd respondent dated 3/4/2015.

Ext.P7(a) :- True translation of Ext.P7.

Respondent's Exhibits :- NIL.

//True Copy//

P.A. to Judge

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

W.P.(C) No. 11666 of 2015 (G)

Dated this the 8th day of April, 2015

J U D G M E N T

A.M.Shaffique, J.

The petitioner has approached this Court seeking police protection, *inter alia* contending that the petitioner has his own registered permanent workers for carrying out loading and unloading work. The said work is being obstructed by the 4th respondent Union and their men demanding loading and unloading work.

2. The petitioner had earlier approached this Court when he had only two permanent workers by filing W.P.(C) No. 23485/2014. That was also a case where the petitioner sought police protection. At the relevant time, the petitioner had only two registered workers and this Court had directed the Police to ensure that no law and order is

created if the petitioner carries on loading and unloading work through his two permanent registered workers. The petitioner submits that the loading and unloading operations had enhanced over a period of time and presently the petitioner has four other registered permanent workers and when loading and unloading work is being carried on through them, again the 4th respondent Union is obstructing the activities.

3. The learned Government Pleader, on instructions, would submit that the Police will render necessary assistance if there is any obstruction caused by the 4th respondent or their men in the matter relating to employment of registered permanent workers of the petitioner for loading and unloading works.

4. The learned counsel for the 5th respondent also submits that as long as the petitioner has his own registered loading and unloading workers, the 4th respondent cannot

obstruct the said activities.

5. Having regard to the aforesaid submissions, we do not think that any further direction is required in this matter. We record the submission of the learned Government Pleader and this Writ petition is closed.

**ASHOK BHUSHAN,
CHIEF JUSTICE.**

**A.M. SHAFFIQUE,
JUDGE.**

//TRUE COPY//

P.A. TO JUDGE

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