

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE
&
THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

WP(C).No. 13667 of 2015 (G)

PETITIONER(S):

**THE STATE FARMING CORPORATION OF KERALA LTD.,
FARM HOUSE, P.B NO.13, VETTITHITTA P.O.,
ALUMUKKU, PUNALUR, KOLLAM-689 696,
REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY SRI.K.ANAND, SENIOR ADVOCATE.
ADVS. SMT.LATHA KRISHNAN,
SRI.M.N.RADHAKRISHNA MENON,
SRI.JOSEPH SEBASTIAN (PARACKAL).**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY,
FOREST AND WILD LIFE DEPARTMENT,
SECRETARIAT, TRIVANDRUM -695 001.**
- 2. THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
AND HEAD OF FOREST FORCE, TRIVANDRUM-695 001.**
- 3. THE SUPERINTENDENT OF POLICE, KOLLAM- 691 001.**
- 4. DEPUTY SUPDT. OF POLICE, PUNALUR-691 305.**
- 5. THE CIRCLE INSPECTOR OF POLICE,
PATHANAPURAM-689 695.**
- 6. THE SUB INSPECTOR OF POLICE,
PATHANAPURAM-689 695.**
- 7. ABBAS, S/O.HUSSAIN,
MUKALIL PURAYIDAM IDATHARA, KALANJOOR P.O.,
PATHANAMTHITTA DISTRICT-689 694,
(MUSLIM LEAGUE MEMBER).**

8. SHAMEER, S/O.NISSAR, CHUNDAVILA VEEDU,
IDATHARA, PATHIRIKKAL P.O., PATHANAPURAM,
KOLLAM DISTRICT-689 695, (CPI MEMBER).
9. SIKKIM, S/O.ZAKIR HUSSAIN,
ROADVILAYIL VEEDU, NADUMURUPU,
PATHIRIKKAL P.O., PATHANAPURAM,
KOLLAM DISTRICT-689 695, (YOUTH CONGRESS MEMBER).
10. M.A. SALAM, S/O. MUHAMMED HANEEFA,
KOTTAVILA VEEDU, IDATHARA, PATHIRIKKAL P.O.,
PATHANAPURAM, KOLLAM DISTRICT-689 695,
(SEVADEL STATE ORGANISING COMMITTEE MEMBER).
11. FIZAL, S/O. ZAKKIR HUSSAIN,
KARAMOOTTIL PURAYIDAM IDATHARA,
KALANJOOR P.O, PATHANAMTHITTA DISTRICT-689 695,
(SEVADAL MEMBER),
12. VAHAB, S/O.ABDUL MAJEED,
PERUMPARAYITHIL VEEDU,
IDATHARA PATHIRIKKAL P.O,
PATHANAPURAM, KOLLAM -689 695.
13. SHAJAHAN, S/O.HUSSAIN RAWETHER,
ETTIVILA KIZHAKKETHIL IDATHARA,
KALANJOOR P.O, PATHANAMTHITTA DISTRICT- 689 694.
14. SHAMEER, S/O.SHUKKUR RAWETHER,
NELLIMOOTTIL VEEDU, IDATHARA KALANJOOR P.O,
PATHANAMTHITTA -689 694.

R1 TO R6 BY SRI.P. VIJAYARAGHAVAN, STATE ATTORNEY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE GOVERNMENT ORDER DATED 28/08/1972.
- EXT.P2 COPY OF THE GOVERNMENT ORDER DATED 21/05/2012.
- EXT.P3 COPY OF THE COMPLAINT DATED 28/04/2015 BEFORE THE
CIRCLE INSPECTOR OF POLICE, PATHANAPURAM.
- EXT.P4 COPY OF THE RECEIPT ISSUED BY THE CIRCLE INSPECTOR
OF POLICE DATED 28/04/2015.
- EXT.P5 COPY OF THE REMINDER DATED 30/04/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.M. SHAFFIQUE & K. ABRAHAM MATHEW, JJ.

W.P.(C) No.13667 of 2015

Dated this the 5th day of May, 2015

J U D G M E N T

A.M. Shaffique, J.

This writ petition is filed seeking for police protection. The petitioner is a company which is an undertaking of State of Kerala. They have rubber plantation in and around Pathanapuram in Kollam District. Slaughter tapping has been done and the rubber trees have been cut and removed. While starting re-planting operation it is submitted that respondents 7 to 14 and their men had obstructed the re-planting work on the allegation that they require the place for being used as a playground. The learned State Attorney on instructions submits that on the basis of the complaint given by the petitioner private respondents were summoned to the police station and the petitioner was also informed that if there is any further obstruction the police shall render necessary assistance to prevent such unlawful obstructions.

Having regard to the aforesaid statement of the learned State Attorney, we do not think it necessary to issue notice to the private respondents. We take on record the submission of the learned State Attorney and close this writ petition.

Sd/-
A.M. SHAFFIQUE
JUDGE

Sd/-
K. ABRAHAM MATHEW
JUDGE

shg/