

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 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 16877 of 2013 (H)

PETITIONER(S) :

RADHAKRISHNAN, S/O.VEEMBAN,
"ABAY NIVAS", KAYARAMKODE, MUNDUR
PALAKKAD DISTRICT - 678 592.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENT(S) :

1. THE SUB INSPECTOR OF POLICE,
KONGAD POLICE STATION, KONGAD,
PALAKKAD DISTRICT-678101.
2. THE SECRETARY,
HEADLOAD WORKERS UNION (CITU)
NEAR NAMPULLYPURA G.L.P.SCHOOL, MUNDUR
PALAKKAD DISTRICT - 678 592.
3. THE DISTRICT SECRETARY,
KERALA HEADLOAD WORKERS WELFARE BOARD
PALAKKAD DISTRICT COMMITTEE, PALAKKAD - 678 001.
4. THE DISTRICT LABOUR OFFICER,
OFFICE OF THE DISTRICT LABOUR OFFICER, CIVIL STATION
PALAKKAD - 678 001.

R3 BY ADV. SRI.A.N.RAJAN BABU, SC, KHWWB
BY SRI. C.S AJITH PRAKASH
BY Sr.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 16877 of 2013 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE ACKNOWLEDGEMENT (PART II) ISSUED BY THE DISTRICT INDUSTRIES CENTRE, PALAKKAD, COMING UNDER DEPARTMENT OF INDUSTRIES, GOVERNMENT OF KERALA, TO THE PETITIONER DATED 18/5/2013.

EXT.P2: TRUE COPY OF THE OWNERSHIP CERTIFICATE DATED 31/1/2013 ISSUED BY THE MUNDUR GRAMA PANCHAYAT.

EXT.P3: TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED BY THE ASSISTANT LABOUR OFFICER, PALAKKAD DATED 25/6/2013 TO THE PETITIONER

EXT.P3(a): TRUE COPY OF THE TRANSLATION OF EXT.P3.

EXT.P4: TRUE COPY OF THE COMPLAINT DATED 30/6/2013 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P4(a): TRUE COPY OF THE TRANSLATION OF EXHIBIT P4.

EXT.P5: TRUE COPY OF THE ACKNOWLEDGEMENT BEARING PETITION NO.83196/2013 FOR RECEIVING EXHIBIT P-4 ISSUED BY 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

ami/

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

W.P.(C)No.16877 of 2013

Dated this the 25th day of November, 2015.

J U D G M E N T

SHAFFIQUE, J.

This writ petition has been filed seeking police protection in the matter relating to loading and unloading works being carried on by the petitioner by employing his own workmen. It is submitted by the learned counsel for the petitioner that the area in question is not a scheme covered area.

2. Under such circumstances, the 2nd respondent has no right to obstruct the petitioner in carrying on the loading and unloading work through his own workmen.

3. Hence we close this writ petition with liberty to the petitioner to approach the police if any obstruction is caused from the side of the 2nd respondent in the matter relating to loading and unloading works being carried on by the petitioner by employing his own workers.

Sd/-

**ASHOK BHUSHAN,
CHIEF JUSTICE.**

Sd/-

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

ami/

//True copy//

P.A. to Judge