

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 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 15467 of 2015 (G)

PETITIONER :-

REV. FR.SIJIMON PANDAPPALLIL, AGED 35 YEARS
S/O.P.D.JOSE, MANAGER, MAHATMA CENTRAL SCHOOL
ERAVIPURAM.P.O, KOLLAM.

BY ADVS.SRI.CHERIAN GEE VARGHESE
SRI.P.HARIDAS
SMT.SIKKY RAVISHANKAR
SRI.P.C.SHIJIN
SRI.RENJI GEORGE CHERIAN

RESPONDENTS :-

1. STATE OF KERALA REPRESENTED BY ITS SECRETARY
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.
2. DISTRICT POLICE CHIEF, KOLLAM DISTRICT-691001.
3. DEPUTY SUPERINTENDENT OF POLICE,
KOLLAM, KOLLAM DISTRICT-691001.
4. CIRCLE INSPECTOR OF POLICE,
ERAVIPURAM, KOLLAM DISTRICT-697011.
5. SUB INSPECTOR OF POLICE,
ERAVIPURAM, KOLLAM DISTRICT-697011.
6. MANIKKANTAN.C,
SUHAAS BHAVAN, PARIPPALLY.P.O, KOLLAM-697011.
7. BHARGAVAN.K, VAYALIL PUTHENVEEDU, KANNIMMEL NAGAR-45,
VADAKKEVILA, ERAVIPURAM, KOLLAM-697011.

8. SIVANKUTTY,
PRINCY BHAVAN, SRI SARAVANA NAGAR-169, ERAVIPURAM
KOLLAM-697011.
9. YESODHARAN.B,
JYOTHI BHAVAN, THEKKEVILA.P.O, KOLLAM-697011.
10. FELIX.S,
VACHANA BHAVAN, THANNI, MAYYANAD.P.O
KOLLAM-697011.
11. ANILKUMAR.K,
G.S.BHAVAN, ERAVIPURAM, KOLLAM-697011.
12. BASIL JOSEPH,
R/O ABHIRAMAM, NEAR ST.JOHN'S CHURCH, ERAVIPURAM.P.O
KOLLAM, PIN-697011.

R1 TO R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING :

jvt

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 6TH RESPONDENT DATED 25.4.2015.

EXT.P1(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P1.

EXT.P2 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 7TH RESPONDENT DATED 25.4.2015.

EXT.P2(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P2.

EXT.P3 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 8TH RESPONDENT DATED 25.4.2015.

EXT.P3(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P3.

EXT.P4 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 9TH RESPONDENT DATED 25.4.2015.

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

EXT.P5 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 10TH RESPONDENT DATED 25.4.2015.

EXT.P5(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P5.

EXT.P6 : TRUE COPY OF THE TERMINATION NOTICE ISSUED BY THE 1ST PETITIONER TO THE 11TH RESPONDENT DATED 25.4.2015.

EXT.P6(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P6.

EXT.P7 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER TO THE 2ND RESPONDENT DATED 15.5.2015.

RESPONDENT'S EXHIBITS :- NIL.

//True Copy//

P.A. to Judge

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

W.P.(C) No.15467 of 2015

Dated this the 26th day of May 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection. It is submitted that the petitioner is running an unaided school. There is some dispute with respondents 6 to 11 in the matter relating to their employment as they have been retrenched from the school. The petitioner apprehends that respondents 6 to 11 with the assistance of 12th respondent will create obstruction in the functioning of the school as well as the operation of the school buses. The petitioner had given complaint to the police, but so far, no action has been taken in the matter.

2. It is apparent that the school is not functioning now, which will start functioning only from 1st June, 2015. Presently, there is no cause of action. If at all there is any offence committed, the police will definitely interfere in the matter and do the needful. Such a situation not arisen so far. Under such circumstances, we do not think it necessary to issue any direction as sought for in this writ petition. However, we only observe that

-: 2 :-

if there is any illegal obstruction being caused by respondents 6 to 11 in the matter relating to functioning of the school and school buses, on the complaint of the petitioner, the police shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

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