

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 15704 of 2015 (K)

PETITIONER(S) :

**C.V.SAJIMON, AGED 37 YEARS,
S/O.PADMAVATHI, PADMALAYAM HOUSE,
CHULLIYODE P.O., SULTHAN BATHERI, WAYANAD DISTRICT.**

**BY SRI.C.C.THOMAS (SENIOR ADVOCATE)
ADVS. SRI.NIREESH MATHEW
SRI.M.G.KARTHIKEYAN**

RESPONDENT(S) :

- 1. THE SUB INSPECTOR OF POLICE,
PANAMARAM POLICE STATION, WAYANAD DISTRICT- 670 721.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
MEENANGADI, WAYANAD DISTRICT - 673 591.**
- 3. THE DEPUTY SUPERINTENDENT OF POLICE,
KALPETTA, WAYANAD DISTRICT - 673 121.**
- 4. THE DISTRICT SUPERINTENDENT OF POLICE,
WAYANAD - 670 001.**
- 5. THE DIRECTOR GENERAL OF POLICE (LAW & ORDER)
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM -695 001.**
- 6. STATE OF KERALA,
REP. SECRETARY (HOME AFFAIRS), GOVT.SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 7. ALOSHI, AGED 45 YEARS,
MOLATH HOUSE, NEERVARAM P.O. NEERVARAM,
WAYANAD DISTRICT - 670 721.**
- 8. GEORGE, AGED 55 YEARS,
NARUKKIYIL HOUSE, NEERVARAM P.O., NEERVARAM,
WAYANAD DISTRICT - 670 521.**

**R1 TO R6 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN
R7 & R8 BY ADVS. SRI.JOHN VARGHESE
SRI.A.L.GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: PHOTOCOPY OF THE TODDY TRANSPORT PERMIT NO.795/15-16/ID/IHY
DATED 08.05.2015 ISSUED BY THE ASST.EXCISE COMMISSIONER,
PALAKKAD.**

**EXT.P2: PHOTOCOPY OF THE PETITION DATED 25.05.2015 SUBMITTED
BEFORE THE 1ST RESPONDENT WITH COPIES TO RESPONDENTS
2 & 3.**

RESPONDENT(S)' EXHIBITS :

**EXT.R7(A): TRUE COPY OF THE PETITION SUBMITTED BY THE PRESIDENT,
INDIAN NATIONAL CONGRESS (I), NEERVARAM WARD TO THE
DISTRICT COLLECTOR, WAYANAD DATED 04.12.2014.**

EXT.R7(B): TRUE ENGLISH TRNASLATION OF EXHIBIT R7(A).

//TRUE COPY//

P.A.TO JUDGE.

Msd.

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

W.P.C.No.15704 of 2015

Dated this the 22nd day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard learned counsel for the petitioner, learned Government Pleader and Sri.John Varghese, learned counsel appearing for respondents 7 and 8.

2. This writ petition has been filed seeking police protection as per the request made by Ext.P2. Petitioner claims to be the licensee of toddy shop in Group No.II of Mananthavady excise range. Toddy shop No.6 is included in the said group. Petitioner's case is that he is running toddy shop No.6 and he has been permitted to transport 450 litres of coconut toddy. The allegation is that obstruction has been created by private respondents. Though complaint was filed, no action has been taken so far.

3. Learned counsel appearing for respondents 7 and 8 submits that with regard to various grievances, representation has been sent to the District Collector on 04/12/2014 at Ext.R7(a), but no action has been taken.

4. Be that as it may, respondents 7 and 8 have no right to obstruct the running of the toddy shop and it is for the authorities to take action, if any.

5. In the above view of the matter, we direct that respondents 1 and 2 shall ensure that no obstruction is created in the running of the toddy shop of the petitioner and law and order is maintained.

With the above observation, this writ petition is disposed of.

(sd/-)

(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

