

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 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17205 of 2015 (A)

PETITIONER(S):

- 1. FR.VARGHESE MALIECKEL, AGED 63 YEARS,
MANAGER, MATHA SENIOR SECONDARY SCHOOL, THUMPOLY
ALAPPUZHA NORTH-688 007.**
- 2. RAJAN JOSEPH,
PRINCIPAL, MATHA SENIOR SECONDARY SCHOOL,
KODAMTHODATHU HOUSE, ALAPPUZHA-688 001.**

**BY ADVS.SRI.JOMY GEORGE
SRI.SEBASTIAN THOMAS
SRI.P.REJINARK
SRI.LITHIN THOMAS
SMT.A.MINI JOSEPH
SRI.DEEPAK MOHAN**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. SUPERINTENDENT OF POLICE,
ALAPPUZHA DISTRICT-688 001.**
- 3. C.I. OF POLICE, ALAPPUZHA NORTH,
ALAPPUZHA DISTRICT-688 001.**
- 4. P.P.JOSEPH,
PUTHENPURACKEL HOUSE, CHETHY PO, MARARIKKULAM,
ALAPPUZHA DISTRICT-688 530.**
- 5. ALL KERALA UNAIDED SCHOOLS STAFF ASSOCIATION (CITU),
DISTRICT COURT, ALAPPUZHA-688 013,
REPRESENTED BY ITS SECRETARY P.P.JOSEPH.**

R1-3 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE FINAL REPORT IN CRIME 64/2010 ALONG WITH ITS ENGLISH TRANSLATION.**
- P2 : TRUE COPY OF THE SUSPENSION ORDER DATED 30-5-2015 ISSUED BY THE 1ST PETITIONER TO THE 4TH RESPONDENT.**
- P3 : TRUE COPY OF THE COMPLAINT DATED 2-6-2015 FILED BY THE PETITIONERS BEFORE THE 3RD RESPONDENT ALONG WITH ITS ENGLISH TRANSLATION.**
- P4 : TRUE COPY OF THE COMPLAINT DATED 2-6-2015 FILED BY THE 1ST PETITIONER BEFORE THE 2ND RESPONDENT.**
- P5 : TRUE COPY OF THE COMPLAINT DATED 6-6-2015 FILED BY THE 1ST PETITIONER BEFORE THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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W.P (C) No.17205 of 2015

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Dated this, the 9th day of June, 2015

J U D G M E N T

Shaffique, J

Petitioners have approached this Court seeking police protection apprehending that respondents 4 and 5 may create obstruction in the functioning of the school being managed by them. It is stated that the 4th respondent, who was a Physical Education teacher of the school, was involved in a crime and he was suspended from service. Disciplinary action is pending against him. The 5th respondent has convened a meeting in front of the school on 4/6/15 obstructing the functioning of the school. Though a compliant had been given to the police, no action has been taken in the matter. Hence, the petitioners have approached this Court.

2. Learned Government Pleader, on instructions, would submit that on the basis of Ext.P3 complaint, appropriate police force had been deputed and no untoward incident had been

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reported. The incident reflected in Ext.P3 was only with reference to the meeting on 4/6/15 which event has already happened and no obstruction was caused during the relevant time.

3. Learned counsel for the petitioners however would submit that they apprehend that respondents 4 and 5 may create further obstruction to the functioning of the school. Having regard to the nature of the judgment we intend to pass, no notice is being issued to respondents 4 and 5. We only observe that if there is any law and order situation or if there is any obstruction in the functioning of the school, on the complaint of the petitioners, police may take appropriate action in that regard and the law and order situation in that area shall be maintained.

Writ petition is closed.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge