

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 17577 of 2015 (V)

PETITIONER(S) :

1. **V. PRASAD,**
SECRETARY, SREE BUDHA EDUCATIONAL SOCIETY,
MANAGING BODY OF THE SREE BUDHA COLLEGE OF ENGINEERING,
PATTOR P.O, NOORANAD, MAVELIKARA TALUK, ALAPPUZHA.
2. **PRINCIPAL,**
SREE BUDHA COLLEGE OF ENGINEERING, PATTOR P.O,
MAVELIKARA TALUK, ALAPPUZHA.

BY ADVS.SRI.A.N.RAJAN BABU
SRI.P.GOPALAKRISHNAN (MVA)
SRI.A.R.EASWAR LAL

RESPONDENT(S) :

1. **STATE OF KERALA,**
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN- 695 001.
2. **DIRECTOR GENERAL OF POLICE LAW AND ORDER,**
POLICE HEAD QUARTERS, VAZHATHAKADU, THIRUVANANTHAPURAM,
PIN-695 001.
3. **ASSISTANT COMMISSIONER OF POLICE (DY.SP),**
CHENGANNUR, PIN- 689 121.
4. **CIRCLE INSPECTOR OF POLICE,**
MAVELIKARA, PIN-690 101.
5. **SUB INSPECTOR OF POLICE,**
NOORANAD, PIN-690 504.
6. **UNIT SECRETARY,**
STUDENTS FEDERATION OF INDIA (SFI),
SREE BUDHA COLLEGE OF ENGINEERING, PATTOR,
SRI.SACHU S.NAIR, AGED 21 YEARS, S/O.SURRENDER NAIR K.G.,
VALIYAKUZHIVILAYIL, MARIMULACKAL, NOORANAD, KOMELLOOR P.O.,
MAVELIKARA, PIN- 690 504.

R1 TO R5 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: A TRUE COPY OF THE ORDER NO.034/E1/2015/SBCE DATED 02.02.2015
ISSUED BY PRINCIPAL.
- P2: A TRUE COPY OF THE COMPLAINT FILED BEFORE SUB INSPECTOR
NOORANAD DATED 06.03.2015.
- P3: A TRUE COPY OF THE ORDER NO.047/E1/SBCE DATED 06.03.2015 ISSUED BY
PRINCIPAL.
- P4: A TRUE COPY OF THE FIR NO.0218 DATED 06.03.2015.
- P5: A TRUE COPY OF THE PHOTOGRAPH.
- P5(A): A TRUE COPY OF THE PHOTOGRAPH.
- P6: A TRUE COPY OF THE REPORT PUBLISHED IN KERALA KAUMUDHI
DATED 07.03.2015.
- P7: A TRUE COPY OF THE REPORT PUBLISHED IN MATHRUBHUMI
DATED 09.03.2015.
- P8: A TRUE COPY OF THE COMPLAINT GIVEN BY PRINCIPAL TO S.I.OF POLICE
DATED 07.03.2015.
- P9: A TRUE COPY OF THE COMPLAINT GIVEN BY PRINCIPAL TO S.I.OF POLICE
DATED 10.03.2015.
- P10: A TRUE COPY OF THE COMPLAINT GIVEN BY PRINCIPAL TO S.I.OF POLICE
DATED 11.03.2015.
- P11: A TRUE COPY OF THE COMPLAINT GIVEN BY PRINCIPAL TO S.I.OF POLICE
DATED 12.03.2015.
- P12: A TRUE COPY OF THE JUDGMENT IN SOJAN FRANCIS VS. MG UNIVERSITY
2003 KHC 458.
- P13: A TRUE COPY OF THE JUDGMENT IN MANAGER SNM COLLEGE VS. S.I OF
POLICE 2007(1) KHC 9.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

K. VINOD CHANDRAN, J.

W.P.(C) No. 17577 of 2015 (V)

Dated this the 18th day of June, 2015

J U D G M E N T

The petitioner, an education institution, seeks implementation of the decision taken by the management to ban political activities inside the petitioner's campus, on the strength of Ext.P11 and P12 judgment **Sojan Francis v. M.G. University - 2003 (2) KLT 582.**

2. A similar question was considered by this Court in W.P.(C) No.10254/2014 dated 13.3.2015 relying on Ext.P11 and **Prakash v. Principal, Government Law College, Ernakulam and others - 2014 (1) KLT 232.** The extract from the aforesaid judgment is as herein below:

“8. Law and order situation created within the campus, whether it be under the aegis of a political organization or any other organization has to be curbed by intervention by the district administration. The Principal of the first respondent college would be entitled to approach the district administration, as also the Police,

conferred with the power to maintain law and order, to ensure that, no law and order situation is created in the college, resulting in disruption of studies or loss to the property of the educational institution. The afore-cited Division Bench decision, unequivocally declares the right of an educational institution, to prohibit such activity and it would be redundant for this Court to issue further declaration on that aspect. However, the observations made herein would be taken with all seriousness by the district administration, if a complaint is received by the Principal of the college.

Writ petition is disposed of with the above observations.”

The instant writ petition would also stand disposed of on the very same directions. In view of the unequivocal declaration in Ext.P11, P12 and the decision in **Prakash** (supra), no notice need be issued to the respondents.

Sd/-
K.VINOD CHANDRAN,
JUDGE