

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 18407 of 2015 (A)

PETITIONER(S) :-

1. P.V.PRASAD, AGED 51 YEARS, S/O.VASU,
PUTHENPARAMBIL HOUSE, THIRUVARPU P.O.,
KOTTAYAM DISTRICT.
2. K.V.JINUMON, S/O.VIJAYANANDAN,
KATTATHARA HOUSE, THIRUVARPU P.O., KOTTAYAM DISTRICT.

BY ADVS.SRI.C.C.THOMAS (SR.)
SRI.NIREESH MATHEW
SRI.M.G.KARTHIKEYAN

RESPONDENT(S) :-

1. THE SUB INSPECTOR OF POLICE, KOTTAYAM.
2. THE CIRCLE INSPECTOR OF POLICE (WEST), KOTTAYAM.
3. THE DEPUTY SUPERINTENDENT OF POLICE, KOTTAYAM.
4. THE DISTRICT SUPERINTENDENT OF POLICE, KOTTAYAM.
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. SUNILKUMAR, PALACKASSERIL HOUSE, THIRUVARPU P.O.
KOTTAYAM DISTRICT (REGISTERED WORKER ATTACHED TO
T.S.No.16, THIRUVARPU, KOTTAYAM RANGE).
8. K.M.GOPI, GENERAL SECRETARY, KOTTAYAM JILLA TODDY &
ABKARI MAZDOOR SANGH, REG.No.05-15/87, B.M.S OFFICE,
T.B.JUNCTION, KOTTAYAM - 686 039.

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9. KOTTAYAM TALUK MADHYA VYAVASAYA THOZHILALI UNION (CITU),
REG.No.261/80, KOTTAYAM, REPRESENTED BY ITS
GENERAL SECRETARY P.N.RAVI.
10. THE DISTRICT LABOUR OFFICER,
COLLECTORATE P.O., KOTTAYAM.

R1 TO R6 & R10 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- PHOTOCOPY OF THE ANNUAL SALARY STATEMENT OF THE EMPLOYEE, SRI.SUNILKUMAR, IN RESPECT OF T.S.No.16 OF KOTTAYAM RANGE FOR THE YEAR 2014-15 PREPARED BY THE PETITIONERS.

EXT.P1(a) :- ENGLISH TRANSLATION OF EXT.P1.

EXT.P2 :- PHOTOCOPY OF THE ANNUAL SALARY STATEMENT OF THE EMPLOYEE, SRI.SUNILKUMAR, IN RESPECT OF T.S.No.16 OF KOTTAYAM RANGE FOR THE YEAR 2014-15 PREPARED BY THE 8TH RESPONDENT UNION.

EXT.P2(a) :- ENGLISH TRANSLATION OF EXT.P2.

EXT.P3 :- PHOTOCOPY OF THE LETTER DATED 5.6.2015 SENT TO THE 10TH RESPONDENT BY THE 1ST PETITIONER.

EXT.P3(a) :- ENGLISH TRANSLATION OF EXT.P2.

EXT.P4 :- PHOTOCOPY OF THE NOTICE DATED 9.6.2015 ISSUED BY THE 8TH RESPONDENT UNION.

EXT.P4(a) :- ENGLISH TRANSLATION OF EXT.P4.

EXT.P5 :- PHOTOCOPY OF THE PETITION DATED 17.6.2015 SUBMITTED BEFORE THE 1ST RESPONDENT WITH COPIES TO RESPONDENTS 2 TO 6.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.S. TO JUDGE

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

W.P(C).No. 18407 of 2015

Dated this the 19th June, 2015

JUDGMENT

Shaffique, J.

The petitioners have approached this Court alleging that respondents 7 to 9 and their men are creating obstruction in the functioning of the toddy shop. It is alleged that the 8th respondent union claimed higher wages for the 7th respondent, which is not payable to him. On account of this, a dispute has arisen. The petitioners have approached the District Labour Officer to settle the dispute. On 17.6.2015 the private respondents forcibly closed the shop. The petitioners, therefore, filed a complaint to the Police and since no action has been taken thereon, the petitioners have approached this Court.

2. The learned Government Pleader, on instructions, would submit that on receipt of the complaint, the Police visited the spot on 18.6.2015 and it was found that the toddy shop was functioning.

3. Having regard to the aforesaid submission made by the learned Government Pleader, we do not think that any direction as sought for is required to be passed in this case. We only observe that if there is any further obstruction from any quarter, on a complaint from the petitioners, the Police shall look into the matter and do the needful. The Writ Petition is closed.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs19/6/15