

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. 18536 of 2015 (N)

PETITIONER(S):

**JOSE VARGHESE, AGED 50 YEARS,
S/O.CHANDAPILLA GEEVARGHESE, MANAGING PARTNER
M/S.KARIKKANETH TEXTILES, CENTRAL JUNCTION, K.P.ROAD,
ADOOR - 691 523.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE
ADOOR POLICE STATION, ADOOR, PATHANAMTHITTA -689 645.**
- 2. THE DISTRICT LABOUR OFFICER.
DISTRICT LABOUR OFFICE, PATHANAMTHITTA - 689 645.**
- 3. PALLIKKAL RAJAN, SECRETARY,
SOUTH KERALA HEAD LOAD AND GENERAL
MAZDOOR SANGH (B.M.S) B.M.S.OFFICE,
ADOOR -689 645.**
- 4. PRADEEP, CONVENER,
SHOP & ESTABLISHMENT MAZDOOR SANGH(B.M.S) B M S OFFICE
ADOOR - 689 645.**
- 5. V.G.SREEKANTH, GENERAL SECRETARY SHOP AND
ESTABLISHMENT MAZDOORSANGH (B.M.S) B.M.S. OFFICE,
ADOOR - 689 645.**
- 6. JOSEPH SAMUEL, BETHEL HOUSE, THEKKUMURI,
PERINGANAD P.O. ADOORPATHANAMTHITTA DISTRICT - 689 645.**
- 7. RAVEENDRAN P, KANNISSERI PADINJATTATHIL
KADAMBANAD NORTH P.O., KADAMBANAD
PATHANAMTHITTA - 689 641.**

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8. SREEJITH, PULPATRA, THALAVADI P.O,
ALAPPUZHA - 688 001

9. RATHEESH V, SHEELA BHAVAN, VADAMON P.O., ANCHAL
KOLLAM-691 009.

10. VINOD KUMAR S.R.
VILAYIL VEEDU, VADAKKE VAYAL, MOULAMOODU,
KUTTIKKADU P.O., KADAKKAL, KOLLAM -691 006.

11. BABU KUTTAN P.
MINI BHAVAN, SADANANDAPURAM P.O., KOTTARAKKARA
KOLLAM - 691 012.

R1 & 2 BY STATE ATTORNEY SRI.P.VIJAYA RAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: THE TRUE COPY OF THE SUSPENSION NOTICE DATED 8.6.2015
ISSUED TO THE NINTH RESPONDENT**
- EXT.P-2: THE ENGLISH TRANSLATION OF EXHIBIT P1 SUSPENSION NOTICE**
- EXT.P-3: THE TRUE COPY OF THE SUSPENSION NOTICE DATED 8.6.2015
ISSUED TO THE TENTH RESPONDENT**
- EXT.P-4: THE ENGLISH TRANSLATION OF EXHIBIT P3 SUSPENSION NOTICE**
- EXT.P-5: THE TRUE COPY OF THE SUSPENSION NOTICE DATED 8.6.2015
ISSUED TO THE ELEVENTH RESPONDENT**
- EXT.P-6: THE ENGLISH TRANSLATION OF EXHIBIT P5 SUSPENSION NOTICE**
- EXT.P-7: THE TRUE COPY OF THE REPLY DATED 12.6.2015 GIVEN BY THE
PETITIONER TO THE SECOND RESPONDENT**
- EXT.P-8: THE TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P7
REPLY**
- EXT.P-9: THE TRUE COPY OF THE COMPLAINT DATED 16.6.2015 PREFERRED
BEFORE THE FIRST RESPONDENT**
- EXT.P-10: THE TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P9
COMPLAINT**
- EXT.P-11: THE RECEIPT ISSUED FROM THE OFFICE OF THE FIRST RESPONDENT
ACKNOWLEDGING THE RECEIPT OF THE PETITION**
- EXT.P-12: THE TRUE COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P11.**

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. 18536 of 2015

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Dated this, the 22nd day of June, 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the petitioner and the learned State Attorney. No notice is being issued to respondents 3 to 11 in view of the judgment being passed.

2. Petitioner has come up in the writ petition seeking police protection for smooth functioning of this textile shop. Petitioner's case is that respondents 9 to 11 were placed under suspension by the management for misbehaviour and respondent 6 to 8 have been reprimanded on 15th of June, 2015. Petitioner's case is that respondents 6 to 11 are trying to help other respondents. Learned State Attorney submits that in fact there is no obstruction as on date and the dispute has already been taken cognizance of by the 2nd respondent District Labour Officer where the date fixed is today. He submits that Ext.P10 application dated 16th of June, 2015 does not indicate that, as on date, there is any

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obstruction.

In our view of the matter, we find that no direction need be issued as on date except closing the writ petition with the observation that as and when any obstruction is created by any of the respondents, it shall be open for the petitioner to approach the police, who shall look into the matter and ensure that there is no obstruction into the ingress and egress of the shop.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge