

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 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 19772 of 2015 (V)

PETITIONER(S) :-

SR.CLARA K.M., CORRESPONDENT
ST.ANN'S CONVENT AND MANAGER, ST.ANN'S SCHOOL
AYUR P.O., KOLLAM DISTRICT, KERALA - 691 533.

BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)
SRI.S.SREEKUMAR (KOLLAM)
SRI.ANIL ELGIN
SRI.S.VINCENT
SRI.S.JOSE

RESPONDENTS :-

1. STATE POLICE CHIEF
POLICE HEADQUARTERS, VAZHUTHAKKADU
THIRUVANANTHAPURAM - 695 014.
2. THE DISTRICT POLICE CHIEF (RURAL)
OFFICE OF THE KOLLAM DISTRICT POLICE CHIEF
KOTTARAKKARA - 691 506.
3. THE CIRCLE INSPECTOR OF POLICE
KADAKKAL CIRCLE, OFFICE OF THE CIRCLE INSPECTOR
KADAKKAL, KOLLAM - 691 536.
4. THE SUB INSPECTOR OF POLICE
CHADAYAMANGALAM POLICE STATION, KOLLAM DISTRICT
PIN - 691 534.
5. THE KERALA STUDENTS UNION
REPRESENTED BY ITS PRESIDENT
DISTRICT CONGRESS COMMITTEE OFFICE, MUNDAKKAL
KOLLAM - 691 001.

6. THE STUDENTS FEDERATION OF INDIA
REPRESENTED BY ITS SECRETARY
KOLLAM DISTRICT COMMITTEE
N.SRIDHARAN SMARAKA MANDIRAM, PATTATHANAM
KOLLAM - 691 021.

7. AKHILA BHARATHIYA VIDYARTHI PARISHATH
REPRESENTED BY ITS SECRETARY
MADHAVA MANDIRAM (RSS DISTRICT OFFICE), OLAYIL
KOLLAM - 691 013.

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

WP(C) .No. 19772 of 2015 (V)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1. A TRUE COPY OF THE LETTER NO.CBSE/AFF./930688/2007/ (SL-0716) DATED 13.01.2007 ISSUED BY THE ASSISTANT DIRECTOR OF THE CENTRAL BOARD OF SECONDARY EDUCATION TO THE PETITIONER.

EXHIBIT P2. A TRUE COPY OF THE LETTER NO.CBSE/AFF./930688/2007/ EX-01628-1011/2009/214487 DATED 12.01.2010 ISSUED BY THE ASSISTANT DIRECTOR OF THE CENTRAL BOARD OF SECONDARY EDUCATION TO THE PETITIONER.

EXHIBIT P3. A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF SOCIETIES DATED 04.08.1997 ISSUED BY THE REGISTRAR OF SOCIETIES, CHENGALPATTU, TAMILNADU.

EXHIBIT P4. A TRUE COPY OF THE JUDGMENT DATED 24TH JUNE 2014 IN WP(C)NO.27406 OF 2013 PASSED BY THE HON'BLE HIGH COURT OF KERALA.

EXHIBIT P5. A TRUE COPY OF THE COMPLAINT DATED 7TH DAY OF JUNE 2015 SUBMITTED BY THE PETITIONER TO THE SECOND RESPONDENT.

EXHIBIT P6. A TRUE COPY OF THE COMPLAINT DATED 15.06.2015 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.19772 of 2015

Dated this the 28th day of July 2015

J U D G M E N T

Shaffique, J

The petitioner has approached this Court seeking police protection in the matter relating to functioning of the school. It is alleged that respondents 5 to 7 and their members are obstructing the functioning of the school. The petitioner submits that respondents 5 to 7 have no right to obstruct the functioning of the school and though complaints were given to the police for necessary protection to prevent such obstructive activities of respondents 5 to 7, no action has been taken in the matter by the police and therefore, the petitioner has approached this Court.

2. Learned Government Pleader on instructions would submit that after the interim order had been passed by this Court on 1.7.2015, necessary police assistance has been provided as and when called by the petitioner.

3. Though notice was served on respondents 5 to 7, there is no appearance on their behalf.

4. In the aforesaid factual situation, we direct the 4th respondent to ensure maintenance of law and order and if any

W.P.(C) No.19772 of 2015

-: 2 :-

obstruction being created by respondents 5 to 7, on the complaint of the petitioner, the police shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt