

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

WP(C) .No. 20654 of 2014 (F)

PETITIONER(S) :-

P.P. POULOSE
S/O.PAILY, PARASSERY HOUSE, ALAMATTAM DESOM
THIRUMUKKULAM VILLAGE, MUKUNDAPURAM TALUK
THRISSUR DISTRICT. (LICENSEE OF
TS.NO.1/2014-15-THRITHALA RANGE).

BY ADV. SRI.M.C.JOHN

RESPONDENT(S) :-

1. THE CIRCLE INSPECTOR OF POLICE
PATTAMBI, PALAKKAD, PIN-679 551.
2. THE SUB INSPECTOR OF POLICE
CHALISSERY, PATTAMBI, PALAKKAD-679 551.
3. THIRUNECHICKAL ZAKARIA
S/O.KANNURKARAN UNNI, THRITHALA, PALAKKAD-679 551.
4. SURESH
S/O.MACHINGAL SUBRAMANIAN, THRITHALA
PALAKKAD-679 551.
5. THE DEPUTY COMMISSIONER OF EXCISE
EXCISE DIVISION, CIVIL STATION, PALAKKAD-679 550.

R1, R2 & R5 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1.TRUE COPY OF THE RELEVANT PORTION OF THE LICENCE NO.512/2014-15
DATED 31/3/2014 ISSUED BY THE 5TH RESPONDENT.

EXT.P1(a).TRUE COPY OF THE ENGLISH TRANSLATION.

EXT.P2.TRUE COPY OF THE TODDY TRANSPORT PERMIT NO.83/14-15/IR/1HY DATED
25/3/2014 ISSUED BY THE 5TH RESPONDENT.

EXT.P3.TRUE COPY OF THE COMPLAINT DATED 13/6/2014 SUBMITTED BY THE
PETITIONER.

EXT.P4.TRUE COPY OF THE ENGLISH TRANSLATION.

EXT.P5.TRUE COPY OF THE ACKNOWLEDGEMENT DATED 15/6/2014.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.20654 of 2014

Dated this the 16th day of February 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. Though notices were issued to respondent Nos.3 and 4 and which were served, no one entered appearance for them when the case was called today.

3. By this writ petition, the petitioner has prayed for a direction to respondents 1 and 2 to provide adequate protection for conducting T.S.No.1/14-15 Kozhikkara in Group No.I Thrithala Excise Range during the validity period of Ext.P1 licence. Petitioner's case is that he had already been issued Ext.P1 licence for conducting the said toddy shop. It is submitted that obstructions are being created by respondents 3 and 4 by stopping the vehicle, which were carrying toddy to the shop.

4. Learned Government Pleader submits that subject to Ext.P1 licence still being valid, the police shall provide adequate protection to the petitioner.

-: 2 :-

In the above view of the matter, we dispose of the writ petition directing the 2nd respondent to ensure that no obstruction is being created in the running of the toddy shop by the petitioner as per Ext.P1 licence.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt