

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 21437 of 2015 (D)

PETITIONER :

MOHAMMED NOUFAL, MANAGING PARTNER,
TASTY NUT INDUSTRIES, KILIKOLLUR,
K.P. ROAD, KOLLAM, RESIDING AT PATTATHIL VEEDU,
AYATHIL, AYATHIL P.O., KOLLAM.

BY ADVS.SRI.T.M.CHANDRAN
SRI.S.SUJITH

RESPONDENTS :

1. COMMISSIONER OF POLICE, KOLLAM - 691 001.
2. CIRCLE INSPECTOR OF POLICE, ERAVIPURAM,
KOLLAM - 691 001.
3. SUB INSPECTOR OF POLICE, KILIKOLLUR POLICE STATION,
KILIKOLLUR, KOLLAM - 691 001.
4. SUB INSPECTOR OF POLICE, ERAVIPURAM POLICE STATION,
ERAVIPURAM, KOLLAM - 691 001.
5. NASIMUDEEN A.,
KERALA CASHEW WORKERS CENTRE (CITU),
VILAYIL VEEDU, MULLUVILA, AYATHIL P.O., KOLLAM - 21.
6. AYATHIL BABY, GENERAL SECRETARY,
KERALA CASHEW THOZHILALI CONGRESS (INTUC),
CONGRESS BHAVAN, KOLLAM - 691 001.
7. K.R.V. SAHAJAN, GENERAL SECRETARY,
KERALA CASHEW INDUSTRIES STAFF ASSOCIATION,
(INTUC), CONGRESS BAHAVAN, KOLLAM - 691 001.

8. A. FASALUDDIN HAQUE, GENERAL SECRETARY,
KERALA CASHEW THOZHILALI KENDRA COUNCIL(AITUC),
M.N. SUMARAKAM, KOLLAM - 691 001.
9. PRAKASH BABU, GENERAL SECRETARY,
ALL KERALA CASHEW NUT FACTORY WORKERS
FEDERATION (UTUC), R.S.P.OPFFICE,
KARSON ROAD, KOLLAM - 691 001.
10. SIVAJI SUDARSAN, GENERAL SECRETARY,
KERALA STAFF KASUVANDI VYAVASAYA
MAZDOOR SANGH (B.M.S.), MAZDOOR BHAVAN,
THAMARAKKULAM, KOLLAM - 691 001.
11. RADHAKRISHNAN, GENERAL SECRETARY,
KASUVANDI THOZHILALI UNITY CENTRE (SVCI),
LENIN SARANI, NEAR SARADAMADOM,
KOLLAM - 691 001.

R1 TO R4 BY STATE ATTORNEY, SRI.P. VIJAYARAGAHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21437 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE COMPLAINT DATED 10.07.2015 ALONG WITH
ENGLISH TRANSLATION.

EXT.P2 : TRUE COPY OF PETITION DATED 10.07.2015 ALONG WITH
ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 21437 OF 2015

Dated this the 16th day of July, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking for police protection *inter alia* alleging that respondents 5 to 11 and their men, who are the workers of the petitioners, are attempting to create obstruction to the functioning of the Head Office, packing centre and even attempting to obstruct the petitioner in his residential premises. It is stated that the petitioner is operating only 7 cashew factories out of 10. On account of non-availability of raw cashew nuts, the petitioner is unable to carry on the business as has been done earlier. The workers in those 7 factories do not have any issue, but certain persons are trying to obstruct the functioning the Head Office, Packing Centre etc and have even blocked the functioning of the same on 14.07.2015. Though complaint was given to the police, no action has been taken by the Police, hence the petitioner has approached this Court.

2. Learned State Attorney on instructions would submit that the petitioner's Head Office is situated within 35 meters away from the Police Station. On receipt of the complaint from the petitioner, the petitioner was summoned and statement was recorded. According to him, there was no obstruction from any quarters as far as the petitioner's Head Office and Packing Centre is concerned and no such incident has been reported.

3. Having regard to the aforesaid factual situation we do not think that any order as sought for is required to be passed in the case. However, we only observe that if there is any obstruction or law and order problem in the matter regarding the functioning of the petitioner's Head Office, Packing Centre or in his residential house, on the complaint of the petitioner, the Police shall look into the matter and do the needful.

The Writ Petition is disposed of as above.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**