

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 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 21693 of 2015 (J)  
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PETITIONER(S) :-  
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ACE COLLEGE OF ENGINEERING  
REPRESENTED BY ITS PRINCIPAL, DR. FARRUKH SAYEED  
THIRUVALLAM P.O, THIRUVANANTHAPURAM - 695 027.

BY ADVS.SRI.B.ASHOK SHENOY  
SRI.K.V.GEORGE  
SRI.P.N.RAJAGOPALAN NAIR  
SRI.P.S.GIREESH  
SRI.RIYAL DEVASSY

RESPONDENT(S) :-  
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1. THE CIRCLE INSPECTOR OF POLICE, NEMOM CIRCLE  
NEMOM P.O., THIRUVANANTHAPURAM - 695 020
2. THE SUB INSPECTOR OF POLICE  
THIRUVALLAM POLICE STATION, THIRUVALLAM P.O.,  
THIRUVANANTHAPURAM - 695 027.
3. HEAD LOAD & GENERAL WORKER'S UNION (CITU)  
REG.NO.146/1970, KARINKADAMUGAL UNIT  
REPRESENTED BY ITS CONVENOR, SYAM V.G, TC.65/910  
THIRUVALLAM P.O, THIRUVANANTHAPURAM - 695 027.
4. THIRUVANANTHAPURAM DISTRICT HEADLOAD WORKERS  
CONGRESS (INTUC), KARINKADAMUGAL UNIT,  
REPRESENTED BY ITS CONVENOR  
ANIL KUMAR R, TC 65/19/18(13), CHARUVILA PUTHEN VEEDU  
THIRUVALLAM P.O, THIRUVANANTHAPURAM - 695 027
5. THIRUVANANTHAPURAM TALUK HEADLOAD LABOUR UNION (UTUC)  
KARINKADAMUGAL UNIT, REPRESENTED BY ITS CONVENOR  
SATHEESHAN T., T.C. 1752-I, THIRUVALLAM P.O.,  
THIRUVANANTHAPURAM - 695 027.

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6. THIRUVANANTHAPURAM DISTRICT GENERAL MAZDOOR SANGOM (BMS)  
KARINKADAMUGAL UNIT, REPRESENTED BY ITS CONVENOR  
SANTHOSH, CHARUVILA PUTHEN VEEDU, THIRUVALLAM P.O.,  
THIRUVANANTHAPURAM - 695 027.

7. THE LABOUR COMMISSIONER  
OFFICE OF THE LABOUR COMMISSIONER, VIKAS BHAVAN  
THIRUVANANTHAPURAM - 695 033.

ADDL.8.KERALA HEADLOAD WORKERS WELFARE BOARD,  
THIRUVANANTHAPURAM DISTRICT COMMITTEE,  
VANCHIYOOR, THIRUVANANTHAPURAM - 695 035  
REPRESENTED BY ITS CHAIRMAN.

ADDL.R8 IS IMPEADED AS PER ORDER DATED 27.7.2015 IN  
I.A.No.10439/2015.

ADDL.R8 BY ADV. SRI.P.M.M.NAJEEB KHAN, SC, KHWB  
R1, R2 & R7 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

jvt

WP(C) .No. 21693 of 2015 (J)  
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APPENDIX

PETITIONER(S) ' EXHIBITS :-  
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EXT.P1:TRUE COPY OF THE COMPLAINT DATED 02.07.2015 SUBMITTED  
PETITIONER TO 7TH RESPONDENT WITH COPY TO 1ST AND 2ND RESPONDENTS  
WITH ITS TRUE ENGLISH TRANSLATION.

EXT.P2:TRUE COPY OF THE COMPLAINT DATED 02.07.2015 SUBMITTED BY  
PETITIONER TO 2ND RESPONDENT WITH ITS TRUE ENGLISH TRANSLATION.

EXT.P3:TRUE COPY OF ACKNOWLEDGEMENT RECEIPT NO.87/15/RED DATED  
02.07.2015 ISSUED BY 2ND RESPONDENT WITH ITS TRUE ENGLISH  
TRANSLATION.

EXT.P4:TRUE COPY OF COMPLAINT DATED 10.07.2015 SUBMITTED BY  
PETITIONER TO 1ST AND 2ND RESPONDENTS.

EXT.P5:TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT NO.182/DPTN/  
2015/CIN DATED 11.07.2015 ISSUED BY 1ST RESPONDENT WITH ITS TRUE  
ENGLISH TRANSLATION.

EXT.P6:TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT NO.120/DPTN/15/  
TV/MPS DATED 11.07.2015 ISSUED BY 2ND RESPONDENT WITH ITS TRUE  
ENGLISH TRANSLATION.

RESPONDENT(S) ' EXHIBITS :- NIL  
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//TRUE COPY//

P.A. TO JUDGE

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

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**W.P.(C) No.21693 of 2015**  
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**Dated this the 27<sup>th</sup> day of July 2015**

**J U D G M E N T**

**Ashok Bhushan, CJ**

Heard the learned counsel for the petitioner, the learned State Attorney as well as the learned Standing Counsel appearing for the additional 8<sup>th</sup> respondent.

2. No notice is required to be issued to respondents 3 to 6 in view of the order being passed in the writ petition.

3. The petitioner has come up in the writ petition seeking for a direction to respondents 1 and 2 to provide adequate and necessary protection to the petitioner-College and its hostel, its officials, employees, staff, workers, students for entry to and from the petitioner-College and for its due functioning without any hindrance from respondents 3 to 6. Petitioner is an Engineering College run by a Trust. Petitioner's case is that certain constructions were carried on in the campus. It is submitted that when civil constructions were under progress, respondents 3 to 6 Unions started causing obstruction claiming the loading and unloading work of building materials brought to the site. It is submitted that substantial construction work is completed and certain other works are still going on. It is also submitted that

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respondents 3 to 6 are creating obstruction in carrying on the said works.

4. Learned counsel appearing for the additional 8<sup>th</sup> respondent submits that the area is not a scheme covered area.

5. Learned State Attorney submits that the police authorities are ready to extend protection as and when any obstruction is created. It is submitted that after receiving the complaint, respondents 3 to 6 were called to the police station and they have been warned.

6. In the above view of the matter, we are of the view that since the area is not a scheme covered area, as and when any obstruction is caused by respondents 3 to 6, it shall be open for the petitioner to file a complaint before the police, who shall look into the matter and take appropriate measures in accordance with law.

With the above observation, this writ petition is closed.

**Sd/-**  
**ASHOK BHUSHAN**  
**CHIEF JUSTICE**

**Sd/-**  
**A.M. SHAFFIQUE**  
**JUDGE**