

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. 22714 of 2015 (L)

PETITIONER(S) :-

SHIYAS HUSSAIN, AGED 39 YEARS
S/O. AHAMMED HUSSAIN, TANAL, TKMC P.O
KOLLAM.

BY ADV. SRI.ARUN BABU

RESPONDENT(S) :-

1. COMMISSIONER OF POLICE,
OFFICE OF THE COMMISSIONER OF POLICE, KOLLAM - 691 001.
2. THE CIRCLE INSPECTOR OF POLICE
KILIKOLOOR POLICE STATION, KOLLAM DISTRICT - 691 004.
3. THE SUB INSPECTOR OF POLICE
KILIKOLOOR, POLICE STATION, KOLLAM DISTRICT - 691 004.
4. KOLLAM TALUK CASHEW NUT WORKERS UNION (CITU)
REPRESENTED BY ITS CONVENOR G RADHAKRISHNAN PILLAI
KILIYIL VEEDU, VELICHIKALA P.O, TB JUNCTION
KOLLAM - 691 573.

R1 TO R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 22714 of 2015 (L)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1 : THE TRUE COPY OF THE LETTER DATED 30/07/2014 ISSUED
BY THE INSPECTOR FACTORIES AND BOILERS, GRADE II, KUNDARA.

EXHIBIT P1(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P1.

EXHIBIT P2 : THE TRUE COPY OF THE LETTER DATED 20/06/2015
SUBMITTED BY THE PETITIONER TO THE DLO, KOLLAM.

EXHIBIT P2(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

EXHIBIT P3 : THE TRUE COPY OF THE COMPLAINT DATED 12/7/2015
SUBMITTED BEFORE THE RESPONDENTS 2-3.

EXHIBIT P4 : THE TRUE COPY OF THE POSTAL RECEIPT DATED 13/07/15
EVIDENCING DESPATCH OF EXHIBIT P3.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.22714 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 for him, his staff and other persons working in the head quarters at Mangadu, Kollam and the godown at Velichikala, Kollam.

2. According to the petitioner, he had entered into an arrangement with the owner of the factory having its head office at Mangadu, Kollam to operate the same. But, on account of non-compliance of certain formalities, licence has not been obtained for working of the said factory. In the mean time, the workers engaged in the said factory have trespassed into the unit as well as the head office at Mangadu, Kollam demanding that they should be employed. The petitioner submits that it was not on account of his mistake, that the work could not be carried out in the factory. Though the petitioner approached the police for necessary protection, no action has been taken by the police and therefore, he has approached this Court.

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3. Learned Government Pleader on instructions would submit that based on the complaint given by the petitioner, the police had summoned the office bearers of the Union and when the police informed that law and order should be maintained, they have dispersed from the area.

4. Having regard to the aforesaid factual situation, we do not think it necessary to issue any order as sought for in this writ petition. The police can interfere only if any law and order situation arises, or if any offence is committed or there is attempt to commit offence. If any of the aforesaid situation arises, it shall always be open for the petitioner to submit a complaint to respondents 2 and 3 and on receipt of the same, the said authority 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