

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 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 27564 of 2012 (U)

PETITIONER(S):

V.RAJAGOPAL AGED 41 YEARS
S/O.P.VAIDYALINGAM, SREE DHANALASXMY LOTTERY AGENCY
KALOOR BUS STAND BUILDINGS, KOCHI-17.

BY ADVS.SRI.N.RATHEESH
SMT.SUMA RATHEESH
SRI.S.SREEKUMAR (SR.)

RESPONDENT(S):

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT
THIRUVANANTHAPURAM.
2. THE CITY COMMISSIONER OF POLICE
ERNAKULAM 682011.
3. THE SUB INSPECTOR OF POLICE
TOWN NORTH POLICE STATION, ERNAKULAM 682018.
4. JAMAL
SECRETARY, ERNAKULAM JILLA LOTTERY AGENTS
SELLERS & STAFF UNION (CITU), REG.NO.07-93/2009
LOTTERY BHAVAN, RAILWAY STATION ROAD,
ERNAKULAM NORTH, KOCHI-18.
5. AFSAL
ERNAKULAM JILLA LOTTERY AGENTS
SELLERS & STAFF UNION (CITU), REG.NO.07-93/2009
LOTTERY BHAVAN, RAILWAY STATION ROAD,
ERNAKULAM NORTH, KOCHI-18.

R1-R3 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN
R4,R5 BY ADV. SRI.T.S.RAJAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE LICENCE ISSUED BY THE DIRECTOR OF STATE LOTTERIES, THIRUVANANTHAPURAM.

EXHIBIT-P2: TRUE COPY OF THE RECEIPT DATED 11.4.2012 ISSUED BY THE COCHIN CORPORATION.

EXHIBIT-P3: TRUE COYP OF HE POSTER FOUND AFFIXED IN FRONT OF THE PETITIONER'S SHOP ROOM IN THE 2ND WEEK OF OCTOBER 2012.

EXHIBIT-P4: TRUE COPY OF HE POSTER APPEARED IN FRONT OF THE PETITIONER'S SHOP ROOM 31.10.2012.

EXHIBIT-P5: TRUE COPY OF THE ARTICLE PUBLISHED IN DESABHIMANI DAILY.

EXHIBIT-P6: TRUE COPY OF THE COMPLAINT DATED 17.11.2012 SUBMITTED BY THE PETITIONER.

RESPONDENTS' EXHIBITS :

EXT. R4-1 : TRUE COPY OF THE COMPLAINT DATED 9.11.2012 FILED ALONG WITH PAPER CUTTING BEFORE THE DIRECTOR OF LOTTERIES.

// TRUE COPY //

P.A. TO JUDGE

sou.

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

W.P(C). No. 27564 of 2012

Dated this the 29th day of October, 2015

JUDGMENT

Shaffique, J

This writ petition has been filed seeking police protection inter alia contending that life and property of the petitioner is being threatened by respondent 4 and 5. The petitioner submits that he is conducting a shop for sale of lottery tickets and without any reason, members of respondents 4 and 5 Unions are obstructing the functioning of the lottery business.

2. An interim order has already been passed by this court as early as on 23.11.2012. Learned Government Pleader on instructions would submit that so far no untoward incident has been reported.

3. Under such circumstances, we do not think that any further direction as prayed for is required to be passed in this case. We only observe that if there is any threat, it shall be open for the petitioner to approach the police.

With this observation the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

sou.31/10/15

// TRUE COPY //

P.A. TO JUDGE