

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 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 24467 of 2014 (G)

PETITIONER(S):

**K J JOSH, AGED 52 YEARS,
S/O. JOHNY, PROPRIETOR, KUTTIKKADAN INDUSTRIES,
DOOR NO. KP XV/173, VALLIAPPANPADY,
KARUMALLOOR PANCHAYATH, PARAVUR TALUK.**

BY ADV. SRI.V.N.SUNIL KUMAR

RESPONDENT(S):

- 1. SUB INSPECTOR OF POLICE, ALUVA WEST POLICE STATION,
ALANGAD-683511.**
- 2. SUPERINTENDENT OF POLICE,
ERNAKULAM (RURAL) ALUVA-683102.**
- 3. AANDAVAN,
S/O. PALI AYYAPPAN, PALIATH HOUSE, U.C. COLLEGE.P.O.
ALUVA-2.**
- 4. SARAVANAN,
SO. RAGHAVAN, EERATTU HOUSE, U.C. COLLEGE.P.O.
ALUVA-2.**
- 5. HARIDAS @ PURUSHAN,
S/O. KOCHAZHAKAN, V.H. CLONY, U.C. COLLEGE.P.O.
ALUVA-2.**
- 6. VISWANATHAN,
S/O. AYYAPPAN, VISWAVILASAM, VALLIAPPANPADI,
U.C. COLLEGE, ALUVA-2.**
- 7. UTHAMAN, S/O. CHATHAN, AMBIKA VILASAM,
U.C. COLLEGE.P.O, ALUVA-2.**

PJ

....2/-

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8. VALSAN, S/O. ADIMA, V.H. COLONY,
U.C. COLLEGE.P.O., ALUVA-2.

9. BAIJU,
S/O. SIVAN, V.H. COLONY, U.C. COLLEGE.P.O.
ALUVA-2.

10. ANANDAN,
S/O. KUMARAN, EERATTU HOUSE, VALLIAPPANPADI,
U.C. COLLEGE.P.O., ALUVA-2.

11. SIVAN,
S/O. KURUMBAN, CHEMBAKASSERY HOUSE, V.H. COLONY,
U.C. COLLEGE.P.O., ALUVA-2.

12. VINOD,
S/O. CHATHAN, KOZHIMOOLA HOUSE, V.H. COLONY,
U.C. COLLEGE.P.O., ALUVA-2.

* ADDL.R13 IMPEADED

3. KERALA HEAD LOAD WORKERS WELFARE BOARD,
NO.2017, NEAR NORTH RAILWAY STATION,
SIVARAMAN MENON ROAD, ERNAKULAM-682018.

ADDL.R13 IMPEADED AS PER ORDER DATED 24/9/2014 IN IA.12883/2014.

R1,2 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

R3-R6 BY ADV. SRI.P.K.BABU

SRI.G.VIJAYAN

R7-R9 BY ADV. SRI.S.K.BALACHANDRAN

SRI.P.K.MAJEED

R13 BY ADV. SRI.C.S. AJITH PRAKASH, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PJ

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1. COPY OF CERTIFICATE OF REGISTRATION ISSUED BY COMMERCIAL TAX OFFICER, VAT OFFICE N. PARAVUR DT. 20-5-13.**
- P2. COPY OF THE COMPLAINT PREFERRED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT. 29-8-14.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 24467 of 2014

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Dated this, the 7th day of December, 2015

J U D G M E N T

Shaffique, J.

This writ petition has been filed seeking police protection alleging obstruction from respondents 3 to 12 in the matter relating to loading and unloading work being carried on by the petitioner with his own workmen.

2. A statement has been filed by the 13th respondent stating that the area in question is not a scheme covered area. Having regard to the aforesaid factual situation, private respondents are not entitled to create any obstruction and if any obstruction is created by them, the 1st respondent shall ensure maintenance of law and order and also ensure that no such obstruction is caused to the loading and unloading work being carried on by the petitioner in his premises.

Writ petition is disposed of with the above observation.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp7/12/2015

//True Copy//

PS to Judge