

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 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C). No.24946 of 2014 (P)

PETITIONER(S):

**ALI , S/O.P.I.BHAVA
PUTHENTHERUVU HOUSE, PIRAYIRI.P.O.,
PALAKKAD.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

- 1. THE CIRCLE INSPECTOR OF PLICE,
TOWN NORTH POLICE STATION, PALAKKAD. 678 101.**
- 2. THE SUB INSPECTOR OF POLICE,
TOWN NORTH POLICE STATION, PALAKKAD. 678 101.**
- 3. NAZAR, S/O.U.UMMER RAWTHER,
HEAD LOAD WORKER, INTUC UNION,
PIRAYIRI, PALAKKAD. 678 004.**
- 4. NAVARU VEERAN
S/O.JABBAR RAWTHER, HEAD LOAD WORKER, INTUC UNION,
PIRAYIRI, PALAKKAD. 678 004.**
- 5. DAMODARAN,
S/O.KUTTAN, HEAD LOAD WORKER, CITU UNION,
PIRAYIRI, PALAKKAD. 678 004.**
- 6. UNNIKRISHNAN,
S/O.ANDY, HEAD LOAD WORKER, CITU UNION,
PIRAYIRI, PALAKKAD. 678 004.**
- 7. SATHEESH P
S/O.PAZHANI, HEAD LOAD WORKER, HMS UNION,
PIRAYIRI, PALAKKAD. 678 004.**

:2:

**8. THE KERALA HEAD LOAD WORKERS WELFARE FUND BOARD
REPRESENTED BY ITS CHAIRMAN, LOCAL COMMITTEE OFFICE
PALAKKAD. 678 101.**

**9. THE STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
HOME DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM. 695 001.**

**R8 BY ADV. SRI.C.S. AJITH PRAKASH, SC, KHWWB
R1, R2 & R9 SENIOR GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- TRUE COPY OF THE DOCUMENT NO.4406/1 OF S.R.O. PALAKKAD.**
- P1(A)- TRUE ENGLISH TRANSLATION OF EXHIBIT P1.**
- P2- TRUE COPY OF THE LAND TAX RECEIPT.**
- P2(A)- TRUE ENGLISH TRANSLATION OF EXHIBIT P2.**
- P3- TRUE COPY OF THE RECEIPT DATED 08.08.2014 REGARDING RECEIPT OF D & O LICENCE FEE ISSUED BY THE PANCHAYAT.**
- P4- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER SEEKING POLICE PROTECTION BEFORE RESPONDENTS 1 AND 2 DATED 28.08.2014.**

RESPONDENT(S)' EXHIBITS:- NIL

KRJ

//true copy// P.A to Judge

ASHOK BHUSHAN, C.J

&

A.M.SHAFFIQUE, J.

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W.P(C) No.24946 of 2014

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Dated this the 3rd day of December, 2015

JUDGMENT

Shaffique, J

This writ petition has been filed seeking police protection in the matter relating to loading and unloading carried on by the petitioner in his premises. It is alleged that respondents 3 to 7 were demanding the right of loading and unloading work in the said establishment.

2. It is submitted by the learned counsel appearing for the respondent Board that the area in question is not a scheme covered area. In the said circumstances, it is always open for the petitioner to engage his own workers and respondents 3 to 7 have no right to interfere with the said work carried on by the petitioner.

3. We have already passed an interim order on 30.9.2014 directing the police to ensure that no obstruction is caused by

respondents 3 to 7 in the business being carried on by the petitioner in his premises by engaging his own workers.

Writ petition is hence disposed of, in terms of interim order dated 30.9.2014.

Sd/-

**ASHOK BHUSHAN
CHIEF JUSTICE**

Sd/-

**A.M.SHAFFIQUE
JUDGE**

krj.3/12/15