

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937

WP(C).No. 25057 of 2015 (F)

PETITIONER(S) :

K.RADHAKRISHNAN, S/O.KUNJUKRISHNAN, AGED 54 YEARS,
EXECUTIVE DIRECTOR, M/S.TVK CONSTRUCTIONS, ARAMAM,
PADA NORTH, KARUNAGAPPALLY, KOLLAM DISTRICT,
PIN-690 518.

BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.P.T.ABHILASH

RESPONDENT(S) :

1. ASSISTANT COMMISSIONER OF POLICE
KARUNAGAPPALLY, KARUNAGAPPALLY P.O,
KOLLAM DISTRICT
PIN - 690 518.
2. CIRCLE INSPECTOR OF POLICE
CHAVARA, CHAVARA P.O, KOLLAM DISTRICT
PIN-691 583.
3. SUB INSPECTOR OF POLICE
CHAVARA POLICE STATION, CHAVARA,
KOLLAM DISTRICT
PIN-691 583.
4. INDIAN RARE EARTHS LIMITED,
CHAVARA, KOLLAM DISTRICT, PIN -691 583
REPRESENTED BY ITS UNIT HEAD.
5. JOY JACOB, S/O.JACOB
AGED 42 YEARS, VALAYIL HOUSE, KARITHURA
CHAVARA, KOLLAM DISTRICT, PIN - 691 583.
6. SUNIL JOHN, S/O.JOHN
AGED 33 YEARS, EDAPARAMBIL HOUSE, KARITHURA
CHAVARA, KOLLAM DISTRICT, PIN - 691 583.
7. SABU JAMES, S/O.JAMES
AGED 29 YEARS, GIRIJA MANDIRAM, KARITHURA
CHAVARA, KOLLAM DISTRICT, PIN - 691 583.

R1-R3 BY ADV.P.VIJAYARAGHAVAN, STATE ATTORNEY
BY SRI.VIJU TOMAS, GOVERNMENT PLEADER
R4 BY SRI.M.GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
31-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - COPY OF THE PROCEEDING NO.CH/PT/0122/14-15 DATED 6.5.2015
ISSUED BY THE IRE LIMITED, CHAVARA.

P2 - COPY OF THE CONSENSUS ARRIVED IN THE MEETING HELD ON
21.1.2014 COMPRISING TRADE UNION LEADERS AS WELL AS THE
POLITICAL LEADERS AND THE REPRESENTATIVES OF THE 4TH
RESPONDENT.

P3 - COPY OF THE MINUTES OF THE MEETING HELD ON 25.7.2014
COMPRISING REPRESENTATIVES OF THE TRADE UNIONS, PETITIONER,
LOCAL POLITICAL LEADERS AND REPRESENTATIVES OF THE 4TH
RESPONDENT.

P4 - COPY OF THE REPRESENTATION DATED 12.8.2015 SUBMITTED BY
THE PETITIONER BEFORE THE RESPONDENTS 1 TO 3.

RESPONDENT(S) ' EXHIBITS

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &
ANU SIVARAMAN, JJ.

.....
WP(C) No.25057 of 2015
.....

Dated this the 31st day of August, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

Heard the learned counsel for the petitioner, the learned State Attorney for respondent Nos.1 to 3 and the learned standing counsel for respondent No.4. Though service is complete with respect to respondent Nos.5 to 7, none appears.

Respondent No.4 is a Government company. It has awarded a contract to the petitioner to remove waste sand from top layer and other attendant works in terms of Ext.P1 proceedings. The learned State Attorney says that upon receipt of Ext.P4, the other respondents, who are not appearing before us now, had attended a conference in the Police Station and they had taken the stand that they would not obstruct the activities of the petitioner in relation to movement of goods from the premises of the fourth respondent. It is further submitted that law and order will be maintained and any

situation warranting interference of Police would be appropriately taken care of. We record that submission. In view of the aforesaid, it is ordered that respondent Nos.1 to 3 will ensure that law and order is maintained and necessary police protection, as may be found necessary by the first respondent, for the activities of the petitioner is extended. This writ petition is ordered accordingly.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(ANU SIVARAMAN, JUDGE)

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