

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25832 of 2015 (D)

PETITIONER :

**AJMAL.A., S/O. ABDUL MAJEED, AGED 39 YEARS,
DARUL KARAM, PRAYAR SOUTH, ALUMPEEDIKA P.O.,
OACHIRA, KOLLAM DISTRICT**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA
SMT.RENY ANTO**

RESPONDENTS :

- 1. DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM RURAL,
KOWDIAR P.O., THIRUVANANTHAPURAM - 695001.**
- 2. DEPUTY SUPERINTENDENT OF POLICE, NEYATTINKARA,
THIRUVANANTHAPURAM-695501.**
- 3. SUB INSPECTOR OF POLICE, BALARAMAPURAM,
THIRUVANANTHAPURAM - 695501.**
- 4. A. NIZAMUDDIN, PRESIDENT, VYAPARI VAYAVASAYI SAMITHI,
NEMAM AREA COMMITTEE, BALARAMAPURAM P.O.,
THIRUVANANTHAPURAM - 695501.**
- 5. N. CHANDRAN NAIR, TREASURER, VYAPARI VYAVASAYI SAMITHI,
NEMAM AREA COMMITTEE, BALARAMAPURAM P.O.,
THIRUVANANTHAPURAM - 695501.**
- 6. S.K. SURESHCHANDRAN, SECRETARY, VYAPARI VYAVASAYI SAMITHI,
NEMAM AREA COMMITTEE, BALARAMPURAM P.O.,
THIRUVANANTHAPURAM - 695501.**

R1 TO R3 BY STATE ATTORNEY SRI. VIJAYARAGHAVAN P.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF CONSENT LETTER ISSUED BY THE PROPERTY OWNERS
DT 6/7/2015.
- P1(a): THE ENGLISH TRANSLATION OF EXT P1.
- P2: COPY OF D&O LICENSE ISSUED TO THE PETITIOENR BY THE
BALARAMAPURAM GRAMA PANCHAYATH.
- P2(a): THE ENGLISH TRANSLATION OF EXT.P3.
- P3: COPY OF LETTER DT 21/7/2015 ISSUED BY THE COMMERCIAL TAXES
OFFICER, HARIPPAD.
- P4: COPY OF THE INSPECTION REPORT DT 22/7/2015 PREPARED BY THE
COMMERCIAL TAXES OFFICER, NEYYATINKARA.
- P5: COPY OF THE REPRESENTATION DT 19/8/2015 SUBMITTED BEFORE THE R1
AND IS RECEIPT.
- P5(a): THE ENGLISH TRANSLATION OF EXT P6.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.25832 of 2015

Dated this the 21st day of August 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection in the matter relating to conduct of business at Balaramapuram. It is stated that the petitioner is selling household articles at fixed price of Rs.199/- for any commodity. The local merchants, however, did not like the aforesaid attitude and therefore they are obstructing the petitioner from carrying on the business activity. Petitioner submits that he had obtained all necessary licence/permission from the competent authorities for conducting the said business and respondents 4 to 6 have no right to create any obstruction.

2. Learned State Attorney, on instructions, would submit that on the basis of the complaint given by the petitioner, parties are summoned for enquiry on 22/08/2015.

3. Under such circumstances, since the police had already taken appropriate action on the basis of the complaint of

the petitioner, we do not think that any direction, as sought for, is required to be passed.

4. We only observe that if the complaint of the petitioner is found to be genuine, police shall render necessary protection to the petitioner to carry on the business and also ensure maintenance of law and order.

With the above observation, this writ petition is closed.

(ASHOK BHUSHAN, CHIEF JUSTICE)

(A.M.SHAFFIQUE, JUDGE)

jsr

