

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 26690 of 2015 (I)  
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PETITIONER :  
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ELLUVILA MILK PRODUCERS CO-OPERATIVE SOCIETY AGED 46 YEARS  
REPRESENTED BY ITS SECRETARY PHILOMINA  
W/O. WISARAD JOHN, ELLUVIAL P.O. NEYYATINKARA TALUK.

BY ADV. SRI.G.SUDHEER

RESPONDENTS :  
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1. THE CIRCLE INSPECTOR OF POLICE  
VELLARADA CIRCLE, VELLARADA P.O., NEYYATINKARA TALUK.
2. THE SUB INSPECTOR OF POLICE,  
VELLARADA POLICE STATION, NEYYATINKARA TALUK.
3. SHAJI, S/O. THANKAMONY, HEAD LOAD WORKERS UNION (INTUC)  
NELLIKKATTU PUTHENVEEDU, ELLUVILA P.O.  
NEYYATINKARA TALUK.
4. ASOKAN,  
S/O. SREEDHARA PANICKER  
HEAD LOAD WORKERS UNION (CITU), KAITHODU VEEDU  
ELLUVILA P.O., NEYYATINKARA TALUK.
5. HEAD LOAD WORKERS WELFARE BOARD,  
REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.

R1 & R2 BY STATE ATTORNEY, SRI. P. VIJAYARAGHAVAN,  
R5 BY ADV. SRI.C.S. AJITH PRAKASH, SC, KHWB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26690 of 2015 (I)

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APPENDIX

PETITIONER'S EXHIBITS :

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EXHIBIT P1 : TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER BEFORE  
THE 1ST RESPONDENT WITH COPY TO 2ND RESPONDENT DATED  
21/08/2015 ALONG WITH ENGLISH TRANSLATION.

EXHIBIT P2 : TRUE COPY OF THE RECEIPTS ISSUED BY THE RESPONDENTS 3 & 4  
UNIONS TO THE PETITIONER SOCIETY.

RESPONDENTS' EXHIBITS :

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NIL

/TRUE COPY/

PA TO JUDGE

**ASHOK BHUSHAN, C.J. & A.M. SHAFFIQUE, J.**

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W.P.(C) No. 26690 OF 2015  
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Dated this the 16<sup>th</sup> day of September, 2015

**JUDGMENT**

**Ashok Bhushan, C.J.**

Heard learned counsel for the petitioner, learned Government Pleader as well as learned counsel appearing for 5<sup>th</sup> respondent. No notice is being issued to respondent Nos.3 and 4 in view of the order which is being passed.

2. Petitioner by this writ petition has prayed for a direction to respondent Nos.1 and 2 to provide adequate and effective police protection to the staff of petitioner society for loading and unloading cattle feeds, milk etc. from the premises of petitioner society against the obstructions created by respondents 3 and 4 Unions and their members. Petitioner Society's case is that it is a primary Co-operative Society which has its own staff for doing the loading and unloading work in the Society. Learned counsel for the petitioner submits that it is not a scheme covered area and respondent Nos.3 and 4 have no right to create any obstruction.

3. After obtaining instructions learned counsel appearing for the 5<sup>th</sup> respondent Board submits that the area is not a scheme covered area.

4. In the above view of the matter we direct respondents 1 and 2 to provide adequate police protection to the petitioner Society to carry on the loading and unloading work with their own workers without any obstruction from respondents 3 and 4 Unions.

The Writ Petition is disposed of as above.

**Ashok Bhushan,  
Chief Justice.**

**A.M. Shaffique,  
Judge.**

WP(C) No. 26690 of 2015

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