

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 31595 of 2013 (Y)

PETITIONER(S):

1. SITICS LOGISTIC SOLUTIONS PVT. LTD.,
18/802, ENGLISH CHURCH ROAD, PALAKKAD 678 014,
REPRESENTED BY ITS AUTHORIZED SIGNATORY MR.S.SANATH KUMAR.
2. S.SANATH KUMAR,
AUTHORIZED SIGNATORY,
SITICS LOGISTIC SOLUTIONS PVT LTD, 18/802,
ENGLISH CHURCH ROAD, PALAKKAD - 678 014.

BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. SUPERINTENDENT OF POLICE, PALAKKAD, PIN - 678 001.
3. INSPECTOR OF POLICE,
SOUTH POLICE STATION, PALAKKAD - 678 001.
4. THE CHAIRMAN,
KERALA HEADLOAD WORKERS WELFARE BOARD,
PALAKKAD COMMITTEE, MUNICIPAL BUILDING, 1ST FLOOR,
DANCE MARKET, BIG BAZAR, PALAKKAD - 678 014.
5. CENTRE FOR INDIAN TRADE UNION,
KARIMGARAPILLY VILLAGE, KADAMCODE, KODUMBU P.O.,
PALAKKAD - 678 551, REPRESENTED BY ITS SECRETARY.
6. INDIAN NATIONAL TRADE UNION CONGRESS,
KARIMGARAPILLY VILLAGE, KADAMCODE, KODUMBU P.O.,
PALAKKAD - 678 551, REPRESENTED BY ITS LEADER.

R1-R3 BY SENIOR GOVERNMENT PLEADER SRI.P.I.DAVIS
R4 BY ADV. SRI.C.S. AJITH PRAKASH, SC
R5 & R6 BY ADV. SRI.RAJESH SIVARAMANKUTTY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
11-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31595 of 2013 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 COPY OF THE AGREEMENT DATED 15/11/2013 SIGNED BETWEEN THE
IST PETITIONER AND M/S.ITC LIMITED.

EXHIBIT P2 COPY OF THE AGREEMENT DATED 20/11/2013 SIGNED BETWEEN THE
IST PETITIONER AND THE RESPONDENTS 5 & 6.

EXHIBIT P3 COPY OF THE COMPLAINT DATED 16/12/2013 SUBMITTED BY THE
IST PETITIONER TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS:

EXT.R5(a): TRUE COPY OF THE DRAFT SETTLEMENT AGREEMENT DTD.NIL

//TRUE COPY//

P.A.TO JUDGE.

Msv/

**ASHOK BHUSHAN, C.J &
RAJA VIJAYARAGHAVAN V., J.**

W.P.(C) No.31595 of 2013

Dated this the 11th day of December 2015

J U D G M E N T

Ashok Bhushan, CJ.

Heard the learned counsel for the petitioners, the learned Government Pleader as well as the learned counsel appearing for respondents 5 and 6.

2. By this writ petition, the petitioners have prayed for a direction to respondents 2 and 3 to afford protection for carrying out the activities in the warehouse by engaging their own employees and for free ingress and egress of the employees, vehicles etc. to the premises.

3. Learned counsel for respondents 5 and 6 submits that during the pendency of the writ petition, there was an agreement between the parties and the work is going on without there being any obstruction.

4. Learned counsel for the petitioners also does not dispute the fact that as on date, there is no obstruction.

Hence, we close the writ petition with liberty to the petitioners to approach the police, if there is any further cause of action.

**ASHOK BHUSHAN
CHIEF JUSTICE**

**RAJA VIJAYARAGHAVAN V
J U D G E**