

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 30719 of 2015 (L)

PETITIONER :

**LEO DAVIS, AGED 40 YEARS, S/O.DAVIS, PROPRIETOR,
SKILOTECH OVERSEAS MAN POWER MANAGEMENT, 2ND FLOOR,
MARVA PLAZA, MACHINGAL LANE, M.G. ROAD, THRISSUR,
RESIDING AT VADAKETHALA HOUSE, PADUKKAD,
POLICE COMPLEX NO.6, THRISSUR.**

**BY SRI.K.RAMAKUMAR, SENIOR ADVOCATE
ADVS. SRI.S.M.PRASANTH
SRI.G.RENJITH
SMT.ASHA BABU**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY ITS SECRETARY TO MINISTRY
OF EXTERNAL AFFAIRS AND MINISTRY OF OVERSEAS INDIAN AFFAIRS ,
NEW DELHI - 110 001.**
- 2. THE PROTECTOR OF EMIGRANTS,
MINISTRY OF OVERSEAS INDIAN AFFAIRS, ERNAKULAM,
IIIIRD FLOOR, PUTHICKAL BUILDING, MARKET ROAD,
KOCHI - 682 035.**
- 3. THE ASSISTANT COMMISSIONER OF POLICE,
DISTRICT SPECIAL BRANCH, KOCHI CITY, KOCHI - 682 031.**

**R1 & R2 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SRI.S.BIJU, CGC
R3 BY GOVERNMENT PLEADER SRI.T.SUJITH KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 30719 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE ORDER DATED 21/08/2015 IN CRL.M.A 7434/2015 IN CRL.M.C.NO. 4899/2015.

EXHIBIT-P1(A)- TRUE COPY OF THE ORDER DATED 18/09/2015 IN CRL.M.A.NO. 7434/2015 IN CRL.M.C.NO. 4899/2015

EXHIBIT-P2- TRUE COPY OF THE COMMUNICATION DATED 16/09/2015 OF THE ASST COMMISSIONER OF POLICE,KOCHI CITY OBTAINED BY THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT

EXHIBIT-P3- TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE PETITIONER COMPANY.

EXHIBIT-P4- TRUE COPY OF THE APPLICATION DATED 24/04/2015 SUBMITTED BY THE PETITIONER

EXHIBIT-P5- TRUE COPY OF THE COMMUNICATION DATED 07/07/2015 RECEIVED BY THE PETITIONER FROM THE MINISTRY OF OVERSEAS INDIAN AFFAIRS.

EXHIBIT-P6- TRUE COPY OF THE PERMIT DATED 18/06/2015 GRANTED TO THE PETITIONER TO CONDUCT INTERVIEW

EXHIBIT-P6(A)- TRUE COPY OF THE PERMIT GRANTED TO THE PETITIONER TO CONDUCT INTERVIEW.

EXHIBIT-P6(B)- TRUE COPY OF THE PERMIT DATED GRANTED TO THE PETITIONER TO CONDUCT INTERVIEW

EXHIBIT-P6(C)- TRUE COPY OF THE PERMIT DATED 11/06/2015 GRANTED TO THE PETITIONER TO CONDCUT INTERVIEW.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30719 of 2015

Dated this the 14th day of October, 2015

JUDGMENT

The petitioner operates a travel agency by name 'Skilotech Overseas Man Power Management'. The petitioner was originally carrying the activities at Thrissur. According to the petitioner, now the activities has been shifted to Ernakulam.

2. It is submitted by the petitioner that as per Ext.P5, the shifting was approved by the first respondent. The petitioner has approached this Court on account of the interference with the activities of the petitioner at Ernakulam Office by the Police.

3. The petitioner's case is that the Police are interfering, stating that the petitioner has no authority to function at the new address in Ernakulam as shown in Ext.P5.

This Court is of the view, if the petitioner is carrying his activities at Ernakulam in the address shown in Ext.P5, the Police shall not interfere, unless the permission granted to relocate the office has been cancelled or revoked by the Government of India.

However, this order cannot be construed that the Police cannot interfere with the activities of the petitioner, if he commits any offence under law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In