

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31405 of 2015 (A)

PETITIONER :

SUNANDA S.K., W/O.SREENIVASA KUKILAYA,
VELUTHEDATHUPARAMBU, KARUVELIPPADY P.O.,
COCHIN - 682 005.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS :

1. THE STATE OF KERALA REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE DISTRICT COLLECTOR,
CIVIL STATION, KAKKANADU,
ERNAKULAM - 682 030.
3. THE CIRCLE INSPECTOR OF POLICE,
PALLURUTHY, KOCHI - 682 006.
4. THE SUB INSPECTOR OF POLICE,
THOPPUMPADY, KOCHI - 682 005.

R1 TO R4 BY STATE ATTORNEY, SRI.P. VIJAYARAGHAVAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE MEMBERSHIP CERTIFICATE OF THE PETITIONER.

EXT.P2 : TRUE COPY OF THE RENT DEED DATED 19.02.2010.

EXT.P3 : TRUE COPY OF THE RECEIPT DATED 25.03.2014.

EXT.P4 : TRUE COPY OF THE RECEIPT RECEIPT DATED 06.06.1994 ISSUED BY THE
CORPORATION OF COCHIN.

EXT.P5 : TRUE COPY OF THE RECEIPT DATED 23.06.1994 ISSUED BY THE
CORPORATION OF COCHIN.

EXT.P6 : TRUE COPY OF THE RECEIPT DATED 03.06.1978 ISSUED BY THE
THEN LANDLORD OF THE BUNK.

EXT.P7 : TRUE COPY OF THE PROCEEDING DATED 29.07.2014 ISSUED BY THE
KERALA VYAPARI VYAVASAYA EKOPANA SAMITHI.

RESPONDENTS' EXHIBITS:

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 31405 OF 2015

Dated this the 15th day of October, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court alleging harassment by police. It is stated that the petitioner has been vending Tobacco products and that it was not within the prohibited distance as per the guidelines issued by the Government. However, police is unnecessarily harassing her and is not permitting her to sell Tobacco products in her shop. It is stated that there is no educational institution within the 100 yards as claimed by police.

2. Sri.P. Vijayaraghavan, Learned State Attorney appearing for the respondents on instructions would submit that the petitioner's bunk shop is situated within 100 yards of two educational institutions and no Tobacco products can be sold in the said area.

Having regard to the aforesaid factual situation a direction as sought for cannot be granted in this writ petition and accordingly, the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

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