

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 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 32156 of 2015 (T)

PETITIONER(S):

DIRECTOR,
ST.JOSEPH'S COLLEGE OF NURSING
ANCHAL, KOLLAM

BY ADV. SMT.M.S.KIRAN

RESPONDENT(S):

1. THE SUB INSPECTOR OF POLICE
ANCHAL POLICE STATION, ANCHAL, KOLLAM 691 036
2. THE CIRCLE INSPECTOR OF POLICE
OFFICE OF C.I OF POLICE, ANCHAL, KOLLAM 691 036
3. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM-695 001
4. AKHIL BHARATHIYA VIDYARTHI PARISHAD,
(ABVP) REPRESENTED BY ITS DISTRICT CONVENOR,
KOLLAM 691 001
5. KERALA STUDENTS UNION(KSU)
REPRESENTED BY ITS DISTRICT SECRETARY
KOLLAM 691 001
6. STUDENTS FEDERATION OF INDIA(SFI)
REPRESENTED BY ITS DISTRICT SECRETARY
KOLLAM 691 001
7. ALL INDIA STUDENTS FEDERATION(AISF),
REPRESENTED BY ITS DISTRICT SECRETARY,
KOLLAM 691 001

R1-3 BY STATE ATTORNEY SRI. P. VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 32156 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 A TRUE COPY OF ORDER NO 11589/02/NC DATED 19-08-2014 ISSUED BY THE KERALA NURSES & MIDWIVES COUNCIL, THIRUVANANTHAPURAM

EXHIBIT P2 A TRUE COPY OF ORDER NO 4596/AC-D/KUHS/2014 DT.07-10-2014

EXHIBIT P3 A TRUE COPY OF GOVERNMENT ORDR NO GOMS NO 127/2014/H& FWD DATED 28-04-2014 ALONG WITH GOMS NO 147/2014/H & FWD DATED 22-05-2014 WITH ANNEXURE II

EXHIBIT P4 A TRUE COPY OF ORDER DATED 25-08-2011M ISSUED BY THE NATIONAL COMMISSION FOR MINORITY EDUCATIONAL INSTITUTIONS, NEW DELHI

EXHIBIT P5 A TRUE COPY OF THE COMPLAINT DATED 09-06-2015 PREFERRED BY THE PETITIONER TO THE 1ST & 2ND RESPONDENTS ALONG WITH ENGLISH TRANSLATION

EXHIBIT P6 A TRUE COPY OF JUDGMENT DT. 30-01-2013 IN W.P(C) NO 2033/2013 OF THIS HON'BLE HIGH COURT

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sou.

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

W.P(C). No. 32156 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

Shaffique, J

Heard learned counsel for the petitioner and learned Government Pleader. No notice has been issued to respondents 4 to 7 in view of the order which is being passed.

2. The petitioner, who is the Director of St. Joseph's College of Nursing, Anchal, Kollam, a self financing college affiliated to the Kerala University of Health Sciences has come up in the writ petition seeking a direction to respondents 1 to 3 to ensure that members of any student or political organizations do not enter the college campus of the petitioner as part of any demonstration/agitation/political activity etc.

3. The petitioner in the writ petition has referred to an incident dated 8.6.2015 with regard to which a complaint was submitted on 9.6.2015, which is Ext.P5. The petitioner further relies on a Division Bench judgment dated 30.1.2013 in WP(C). No.2033 of 2013 wherein this Court had directed for police protection against the party respondents in that case from

creating any nuisance within the college campus or disruption of classes as and when required.

4. Learned Government Pleader submits that the incident which was reported was a solitary incident on 8.6.2015 and thereafter no such incident has taken place nor any complaint has been submitted. It is also submitted that the police authorities shall always take action as and when any information is received regarding disruption in college campus.

5. In view of the aforesaid, in the interest of justice we dispose of the writ petition giving liberty to the petitioner to submit a complaint to respondents 1 and 2 as and when any disruption in college campus is threatened or actually takes place. On any such complaint received from the petitioner, appropriate measures shall be taken by respondents 1 and 2.

With these observations the writ petition is disposed of.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

sou.

// True copy //