

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C) .No. 32449 of 2015 (E)

PETITIONER(S) :-

A.A.MOHAMMED ALI,
SUHASAM, MUPPATHADAM P.O., ALUVA - 683 110,
CONVENER, JANAJAGRATHA,
PEOPLES' INITIATIVE FOR ENVIRONMENTAL PROTECTION &
SOCIAL AWARENESS, DOOR No.A-33,
KUTTIKKATTUKARA P.O.,
PATHALAM, ERNAKULAM - 683 501.

BY ADVS.SRI.K.K.ASHKAR
SMT.ASHIRA MOHAMED ASHROF

RESPONDENT(S) :-

1. THE INSPECTOR GENERAL OF POLICE,
ERNAKULAM RANGE, MARINE DRIVE, KOCHI - 682 011.
2. THE DISTRICT POLICE CHIEF,
KOCHI CITY, PIN - 682 035.
3. CIRCLE INSPECTOR OF POLICE,
ERNAKULAM TOWN, NORTH CIRCLE, COCHIN - 682 018.
4. SUB INSPECTOR OF POLICE,
ELOOR POLICE STATION, UDYOGAMANDAL, PIN - 683 501.
5. THE DISTRICT POLICE CHIEF,
ERNAKULAM RURAL, ALUVA, PIN - 683 101.
6. CIRCLE INSPECTOR OF POLICE,
ALUVA CIRCLE, PIN - 683 101.
7. SUB INSPECTOR OF POLICE,
BINANIPURAM POLICE STATION, MUPPATHADAM - 683 110.

BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1 :- TRUE COPY OF THE ORDER DATED 7.9.2015 OF NATIONAL GREEN TRIBUNAL, CHENNAI IN APPLN. No.396/2013.

EXT.P2 :- TRUE COPY OF THE LETTER ISSUED BY NEERI INTIMATING THE TIME SCHEDULE OF SAMPLING PROCESS AS PER EXT.P1 ORDER.

EXT.P3 :- TRUE COPY OF ORDER DATED 1.12.2011 ISSUED BY THIS HONOURABLE COURT IN I.A.19123/2011 IN W.P.(C)No.30123/07.

EXT.P4 :- TRUE COPY OF THE NEWS ITEM APPEARED IN ONLINE EDITION OF TIMES OF INDIA DATED 5.2.2013.

EXT.P5 :- TRUE COPY OF THE REPRESENTATION DATED 21.10.2015 SEEKING POLICE PROTECTION ADDRESSED TO RESPONDENTS 1 TO 11 WITH ACKNOWLEDGMENT OF RECEIPT.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.32449 of 2015

Dated this the 27th day of October 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking for police protection. It is alleged that he is one of the respondents in a matter pending before the National Green Tribunal, wherein, an order had been passed directing the National Environmental Engineering Research Institute (NEERI) to take samples of effluent from Eloor - Edayar Industrial belt. The petitioner submits that there is every possibility of attacking the petitioner as well as the agency, which is directed to conduct inspection and taking of samples. The petitioner points out an earlier incident, wherein, this Court had directed the police to grant adequate protection for taking samples from the said locality.

2. Learned Government Pleader submits that the process of taking samples from the locality starts today and till now, no application is received by the police. The police is keeping a constant vigil on the activities of the people in the locality. As matter stands now, there is no untoward incident occurred in the locality, for which, the police has to take cognizance.

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3. Much for the reason that this Court directed the police to grant adequate protection in an earlier writ petition, we do not think that a direction as sought for is required to be passed in the present writ petition. We only observe that if there is any offence committed or attempt to commit offence, it is open for the petitioner to file a complaint before the police, who shall look into the matter and do the needful.

With the above observation, this writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE