

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 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 32968 of 2014 (U)

PETITIONER(S):

- 1. SHERRY JACOB,
PROPRIETOR, ST. GEORGE GAS AGENCY, XL 111/4676,
KOCHUPILAMOODU, BEACH ROAD, KOLLAM - 691 001.**
- 2. K.K. DINESH BABU,
MANAGER, ST. GEORGE GAS AGENCY, XL 111/4676,
KOCHUPILAMOODU, BEACH ROAD, KOLLAM - 691 001.**

**BY ADVS.SRI.A.SUDHI VASUDEVAN
SMT.K.PUSHPAVATHI
SRI.R.SYLESHWAREN NAIR
SRI.JOSE JONES JOSEPH**

RESPONDENT(S):

- 1. ASSISTANT COMMISSIONER OF POLICE,
KOLLAM.**
- 2. VAISAKH R.,
SREEKRISHNA NAYAS NO. 124, MOOLAMKARA ASRAMAM,
KOLLAM - 691 002.**
- 3. BENEDICT J.,
THUMBARA VAYALIL, KLUNGARA VEEDU, TRA 116
NR THUMBARA MARKET, MUNDAKKAL, KOLLAM - 691 001.**
- 4. ALEX SHAJI,
SHALU BHAVAN, KAKKATHOPPU, ERAVIPURAM,
KOLLAM - 691 001.**
- 5. SUBRAMANIAN C.,
RAJ MANGEL, TAGORE ROAD 53, PALLITHOTTAM,
KOLLAM - 691 001.**

msv/

WP(C).No. 32968 of 2014 (U)

6. LENIN S.,
SHALU BHAVAN, CENTURY NAGAR, PALLITHOTTAM,
KOLLAM - 691 001.
7. STEEPHEN J. @ SHIBU,
S/O. JOVAKEEN, DON BOSCO NAGAR, PALLITHOTTAM,
KOLLAM - 691 001.
8. ANTONY SHAJI,
S/O. SHAJI, SHALU BHAVAN, CENTURY NAGAR,
PALLITHOTTAM, KOLLAM - 691 001.

R1 BY SENIOR GOVERNMENT PLEADER SRI.P.I.DAVIS
R2-R8 BY ADV. SRI.B.MOHANLAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

WP(C).No. 32968 of 2014 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1-TRUE COPY OF THE MEMORANDUM OF AGREEMENT MADE ON
28/06/1990 BETWEEN INDIAN OIL CORPORATION LTD. AND
1ST PETITIONER.**

**EXHIBIT-P2-TRUE COPY OF THE REPRESENTATION DATED 18/10/2014 SUBMITTED BY
THE 2ND PETITIONER BEFORE THE 1ST RESPONDENT SEEKING POLICE
PROTECTION ALONG WITH ENGLISH TRANSLATION.**

RESPONDENT(S)' EXHIBITS:

**EXT.R2(a): THE TRUE COPY OF THE SETTLEMENT ENTERED INTO BETWEEN THE
PETITIONERS AND THE UNION AND ITS ENGLISH TRANSLATION.**

//TRUE COPY//

P.S.TO JUDGE

Msv/

ASHOK BHUSHAN, CJ

&

A.M.SHAFFIQUE, J.

W.P.C.No.32968 of 2014

Dated this the 22nd day of September 2015

J U D G M E N T

Shaffique, J

This writ petition has been filed seeking police protection. Petitioners are running a Gas Agency for distribution of Liquid Petroleum Gas (LPG) in cylinders. The complaint of the petitioners is that the running of the gas agency and distribution of gas cylinders is being obstructed by respondents 2 to 8.

2. Counter affidavit has been filed by respondents 2 to 8 inter alia stating that the dispute between the Union representing the workers and the petitioners have been settled in the presence of the District Labour Officer and directions have been issued in terms of the settlement arrived at between the parties which is produced as Ext.R2(a).

3. Having regard to the fact that the issue has already been settled in terms of Ext.R2(a), we do not think that there is any necessity to pass any order, as prayed for. We only observe that if there is any further interference from respondents 2 to 8, it

is always open for the petitioners to file necessary complaint before the police, who shall look into the matter and take appropriate action, in accordance with law.

With the above observation, this writ petition is closed.

(sd/-)
(ASHOK BHUSHAN, CHIEF JUSTICE)

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

