

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 33723 of 2014 (M)

PETITIONER :

MOHAMMED SHEREEF C., AGED 43 YEARS
S/O.JAMALKUTTY, CHERUVARA HOUSE, THEKKAN KUTTOOR P.O.
PULLOOR, THIRUR TALUK, MALAPPURAM DISTRICT
PIN-676551.

BY ADV. SRI.ESM.KABEER

RESPONDENTS :

1. SUBODH ,
S/O.SREEDHARAN, POOPALA, NEYLOOR P.O.
ANAKKARA, OTTAPPALAM, PALAKKAD DISTRICT-678574.
2. KABEER,
S/O.KUTTY ALI, PARAPPARAMBIL HOUSE, PARAKKULAM
AANAKKARA P.O., OTTAPALAM TALUK
PALAKKAD DISTRICT-678574.
3. THE SUB INSPECTOR OF POLICE,
THRITHALA POLICE STATION, PALAKKAD DISTRICT-679534.

R1 & R2 BY ADVS. SRI.P.G.SURESH
SRI.G.SUDHEER (THURAVOOR)
SRI.RAJAN VISHNURAJ
SRI.V.HARISH

R3 BY SR.GOVERNMENT PLEADER, SRI.P.I. DAVIS.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE PROCEEDINGS OF THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, PALAKKAD DATED 31.5.2010.
- P2: COPY OF THE CERTIFICATE OF AMENDMENT DATED 3.6.2010 ISSUED BY THE MANAGER DISTRICT INDUSTRIES CENTRE, PALAKKAD.
- P3: COPY OF THE CONSENT VARIATION ORDER DATED 20.9.2010 ISSUED BY THE ENVIRONMENTAL ENGINEER.
- P4: COPY OF THE BILL DATED 6.12.14 SHOWS THE PURCHASING OF REACTOR FROM STANDARD TANKS AND VESSELS, THRISSUR.
- P5: COPY OF THE BILL DATED 6.12.14 SHOWS THE PURCHASING OF REACTOR FROM STANDARD TANKS AND VESSELS, THRISSUR.
- P6: COPY OF THE PETITION SUBMITTED BEFORE THE 3RD RESPONDENT DATED 9.12.2014.
- P6(A): COPY OF THE ENGLISH TRANSLATION OF EXHIBIT P6.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P.(C) No. 33723 OF 2014

Dated this the 13th day of January, 2015

JUDGMENT

Shaffique, J.

The petitioner has approached this Court seeking for a direction to the police to grant adequate police protection for unloading vessels and other equipments which are to be installed in the proposed industrial unit of the petitioner. It is alleged that respondents 1 and 2 and their men are causing obstruction.

2. Learned counsel for respondents 1 and 2 submits that they have no intention to obstruct the unloading of vessels and other equipments for the construction in the industrial unit. Further it is submitted that a stop memo had been issued from the Panchayat restraining the petitioner from proceeding with the construction. However, the learned counsel submits that respondents 1 and 2 will not obstruct the unloading of vessels and other equipments in the premises in question.

3. Having regard to the aforesaid submission, we are of the view that Police shall ensure that law and order is

maintained in the matter relating to unloading of vessels and other equipments coming to the Unit of the petitioner and that no obstruction is caused by respondents 1 and 2 or their men.

**Ashok Bhushan,
Acting Chief Justice.**

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