

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 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 35565 of 2014 (U)

PETITIONER:

**MANAGER, SNGIST GROUP OF INSTITUTIONS,
MANNAM P.O., NORTH PARUR, ERNAKULAM.**

BY ADV. SRI.K.B.GANGESH

RESPONDENTS:

- 1. THE SUB INSPECTOR OF POLICE,
ALANGAD POLICE STATION, KARUMALLOOR P.O., PIN:683 511.**
- 2. THE CIRCLE INSPECTOR OF POLICE
ALUVA.**
- 3. PRIVATE MOTOR THOZHILALI UNION (AITUC)
REGISTER NO.145/81, TU HOUSE, CS ROAD
KOCHI-11, REP. BY ITS GENERAL SECRETARY JOY JOSEPH.**
- 4. ABHILASH C.S.
CHOOOLAKKAL HOUSE, MANAKKAPPADY, KARAMALLOOR P.O.
PIN:683 511.**
- 5. DISTRICT LABOUR OFFICER
CIVIL STATION, KAKKANAD, ERNAKULAM-682030.**

**R3,R4 BY ADV. SRI.A.P.SUBHASH
R1, R2 & R5 BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF MEMO DATED 26.11.2014.
- EXHIBIT P2: TRUE COPY OF CHARTER OF DEMANDS SUBMITTED BY THE 3RD RESPONDENT TO THE PETITIONER ON 25.11.2014.
- EXHIBIT P3: TRUE COPY OF CHARGE MEMO DATED 22.12.2014 ISSUED BY THE PETITIONER TO THE 4TH RESPONDENT.
- EXHIBIT P4: TRUE COPY OF RENEWED CHARGE MEMO DATED 26.12.2014 ISSUED BY THE PETITIONER TO THE 4TH RESPONDENT.
- EXHIBIT P5: TRUE COPY OF COMPLAINT DATED 28.11.2014.
- EXHIBIT P6: TRUE COPY OF COMPLAINT DATED 29.12.2014 PREFERRED BY THE PETITIONER TO THE 1ST RESPONDENT.
- EXHIBIT P7: PHOTOGRAPHS OF THE SHED AND BANNER ERECTED BY RESPONDENTS 3 AND 4 WITHIN THE COLLEGE CAMPUS
- EXHIBIT P8: TRUE COPY OF THE COMPLAINT PREFERRED BY THE PETITIONER TO THE 1ST RESPONDENT ON 12.03.2015
- EXHIBIT P9: TRUE COPY OF THE COMPLAINT PREFERRED BY THE PARENT TEACHER ASSOCIATION OF SNGIST, NORTH PARAVOOR ON 13.03.2015 TO THE 1ST RESPONDENT
- EXHIBIT P10 PHOTOGRAPHS OF THE SHED AND BANNER ERECTED BY RESPONDENTS 3 AND 4 WITHIN THE COLLEGE CAMPUS

RESPONDENT(S)' EXHIBITS

- EXHIBIT R4(A) TRUE COPY OF LETTER DATED 13.11.2014 SUBMITTED BY THE 3RD RESPONDENT TO THE PETITIONER AND ITS TRUE ENGLISH TRANSLATION.
- EXHIBIT R4(B) THE POSTAL ENVELOP DATED 28.11.2014
- EXHIBIT R4(C) TRUE COPY OF REPLY DATED 09.01.2015 TO THE PETITIONER AND ITS TRUE ENGLISH TRANSLATION

/TRUE COPY/

PA TO JUDGE

JJJ

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

W.P. (C) No. 35565 of 2014 (U)

Dated this the 7th day of April, 2015

J U D G M E N T

A.M.Shaffique, J.

The petitioner has approached this Court seeking police protection.

2. It is *inter alia* contended that, at the instance of respondents 3 and 4, strike is being conducted inside the premises, by which obstruction is being caused to the functioning of the petitioner Institution.

3. The learned Government Pleader, on instructions, would submit that Police has already taken appropriate action and there is no obstruction caused to the ingress and egress or to the functioning of the Institution.

4. The learned counsel appearing for the 3rd and 4th respondents has filed counter affidavit *inter alia* stating

that they have not created any obstruction and they are only conducting a peaceful demonstration. Their activities are also being video graphed by the Police.

5. The learned counsel for the petitioner, however, would submit that the strike is being conducted inside the premises of the college.

6. Though, it might be correct that no such activity shall be conducted inside the premises, being a police protection matter, we do not think that any direction in that regard has to be granted. If at all, the petitioner wants to remove the private respondents from the premises of the college, it shall always be open for the petitioner to approach the civil court for appropriate orders. We only observe that, if there is any law and order situation or obstruction to the functioning of the petitioner Institution, the Police shall look into the matter and do the needful.

-:3:-

With the above observation, this Writ Petition is disposed of.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.

jjj