

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 36474 of 2015 (H)

PETITIONER(S):

I. MUMTHAZ, AGED 46 YEARS,
W/O.P.M. SHAJI, RESIDING AT PARAKKAL HOUSE,
HOUSING BOARD COLONY, NEAR RAILWAY STATION,
CHANGANACHERRY, KOTTAYAM DISTRICT.

BY ADVS.SRI.R.NIKHIL,
SMT.P.K.PAMALA,
SRI.P.ABDUL RAZAK,
SMT.R.PREETHA.

RESPONDENT(S):

1. THE SUPERINTENDENT OF POLICE,
KOTTAYAM RURAL, CHANGANACHERRY,
KOTTAYAM DISTRICT-688 101.
2. THE CIRCLE INSPECTOR OF POLICE,
CHANGANACHERRY CIRCLE, CHANGANACHERRY,
KOTTAYAM DISTRICT-686 101.
3. THE SUB INSPECTOR OF POLICE,
CHANGANACHERRY POLICE STATION,
CHANGANACHERRY, KOTTAYAM DISTRICT-686 101.
4. SRI.GOPALAKRISHNAN, AGED ABOUT 52 YEARS,
S/O.GOPINATHA PANICKER, RESIDING AT
SREERAGH BHAVAN, PONPUZHA, ITHITHANAM P.O.,
CHANGANACHERRY, KOTTAYAM DISTRICT-686 535.
5. SRI.JIJI VARGHESE, AGED ABOUT 52 YEARS,
S/O.VARGHESE, RESIDING AT VAZHAKKAL HOUSE,
VAKATHANAM P.O., CHANGANACHERRY,
KOTTAYAM DISTRICT-686 535.

R1 TO R3 BY SR. GOVT. PLEADER SRI.P.I. DAVIS.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 : TRUE COPY OF THE CERTIFICATE OF REGISTRATION.
- P2 : TRUE COPY OF THE LICENSE FROM THE DEPARTMENT OF FACTORIES AND BOILERS.
- P3 : TRUE COPY OF THE RESIGNATION LETTER SUBMITTED BY C.K.THANKACHAN WITH ITS ENGLISH TRANSLATION.
- P4 : TRUE COPY OF THE RESIGNATION LETTER SUBMITTED BY THE 5TH RESPONDENT WITH ITS ENGLISH TRANSLATION.
- P5 : TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE LABOUR OFFICER, CHANGANACHERRY WITH ITS ENGLISH TRANSLATION.
- P6 : TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE DISTRICT LABOUR OFFICER, KOTTAYAM WITH ITS ENGLISH TRANSLATION.
- P7 : TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE 1ST RESPONDENT.
- P8 : TRUE COPY OF THE RECEIPT WITH ITS ENGLISH TRANSLATION.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

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

W.P(C). No. 36474 of 2015

Dated this the 11th day of December, 2015

JUDGMENT

Shaffique, J

Petitioner has approached this Court seeking police protection alleging that there is threat and obstruction created by respondents 4 and 5 in the matter relating to functioning of the unit run by the petitioner, M/s. Oasis Rubber Industries. According to the petitioner, there are some labour issues between the petitioner and the fourth respondent and the matter is pending before the District Labour Officer. During the pendency of the same, obstruction is being created by respondents 4 and 5. Though complaint has been given to the police to give adequate police protection to run the unit, no action has been taken in the matter. Therefore, this writ petition has been filed.

2. Though notice was ordered to respondents 4 and 5 there is no appearance on their behalf. Learned Government Pleader on instructions would submit that on the basis of the

complaint, respondents 4 and 5 were summoned and they were asked not to create any obstruction in the matter. They have also stated that the issue is pending before the District Labour Officer.

3. Having regard to the factual situation, we are of the view that if there is any obstruction from respondents 4 and 5 in the matter relating to functioning of the unit, the third respondent shall ensure that no such obstruction is being created by respondents 4 and 5 or their men and that law and order is maintained.

With the above observation, the writ petition is disposed of.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFIQUE,
JUDGE