

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36893 of 2015 (J)

PETITIONER:

**C.M. JOSE, MANAGING PARTNER, JOSE & COMPANY,
THAMARASSERY JUNCTION, NEELESWARAM.P.O.,
KOTTARAKKARA, KOLLAM DISTRICT.**

**BY ADVS.SRI.R.ARUN
SRI.LATHEESH SEBASTIAN**

RESPONDENT(S):

- 1. THE SUPERINTENDENT OF POLICE (RURAL),
KOTTARAKKARA, KOLLAM DISTRICT - 691 506.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION,
KOTTARAKKARA, KOLLAM DISTRICT - 695 106.**
- 3. THE SUB INSPECTOR OF POLICE,
KOTTARAKKARA POLICE STATION,
KOTTARAKKARA, KOLLAM DISTRICT - 695 106.**
- 4. THE SECRETARY,
HEADLOAD & GENERAL WORKERS UNION (CITU),
KOTTARAKKARA, KOLLAM DISTRICT - 695 106.**
- 5. THE SECRETARY, KOTTARAKKARA TALUK
HEADLOAD WORKERS CONGRESS (INTUC),
KOTTARAKKARA , INTUC OFFICE, EZHUKONE,
KOLLAM DISTRICT - 695 106.**
- 6. THE SECRETARY, KOTTARAKKARA TALUK
HEADLOAD AND GENERAL WORKERS UNION(AITUC),
KOTTARAKKARA, KOLLAM DISTRICT - 695 106.**
- 7. THE SECRETARY, BHARATHIYA HEADLOAD
GENERAL WORKERS UNION(BMS), KOTTARAKKARA,
KOLLAM DISTRICT - 695 106.**

R1 TO R3 BY SENIOR GOVT. PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 36893 of 2015 (J)

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : TRUE COPY OF THE REPRESENTATION OF THE PETITIONER
 SUBMITTED BEFORE THE RESPONDENTS 1 TO 3.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 36893 of 2015

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Dated this, the 7th day of December, 2015

J U D G M E N T

Shaffique, J.

Petitioner has approached this Court seeking police protection alleging that respondents 4 to 7 are interfering with the loading and unloading work being carried on by the petitioner in his business premises. It is admitted by the petitioner that the area in question is a scheme covered area. In that event, petitioner will have to employ workers from the pool and cannot employ his own workers for the loading and unloading activities.

2. Learned counsel for the petitioner submits that petitioner had already filed application for obtaining identity cards for his permanent workers under Rule 26A of the Kerala Headload Workers Rules. Only if the cards are issued to the workers of the petitioner, he will be in a position to seek for necessary police protection as claimed in the present writ petition.

Hence, we close this writ petition with liberty to the

W.P(C) No.36893/15

-:2:-

petitioner to approach the police if he is able to get identity cards for his permanent workers under Rule 26A of the Kerala Headload Workers Rules.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp7/12/2015

//True Copy//

PS to Judge