IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BASANT BALAJI

WEDNESDAY, THE 24TH DAY OF JULY 2024 / 2ND SRAVANA, 1946

WP(C) NO. 13552 OF 2021

PETITIONER:

BHAGYA AQUAPLAST,
REPRESENTED BY ITS MANAGER MRS.SOBHA SURESH KUMAR, AGED 46 YEARS, W/O.SURESH KUMAR, CHAMPAKARA P.O., KARUKACHAL, KOTTAYAM DISTRICT, PIN-686 540.
BY ADV V.SETHUNATH

RESPONDENTS:

1. **THE DISTRICT POLICE CHIEF,**
   KOTTAYAM, PIN-686 001.
2. **DEPUTY SUPERINTENDENT OF POLICE,**
   CHANGANNASSERY P.O., PIN-686 101.
3. **STATION HOUSE OFFICER,**
   KARUKACHAL POLICE STATION, KOTTAYAM DISTRICT,
   KARUKACHAL P.O., PIN-686 539.
4. **THE DISTRICT OFFICER,**
   GROUND WATER DEPARTMENT, DISTRICT OFFICE, KOTTAYAM, PIN-686 001.
5. **R.HARI KUMAR,**
   AGED 38 YEARS
   S/O.RADHAKRISHNA PILLAI, PUTHENVEEDU, WARD NO.15,
   CHAMPAKKARA P.O., KARUKACHAL GRAMA PANCHAYAT,
   CHANGANASSERY TALUK, KOTTAYAM DISTRICT, KERALA-686 540.
6. **RADHIKA MENON,**
   AGED 57 YEARS
   W/O.NANDAKUMAR, SREENANDANAM HOUSE, WARD NO.15,
   CHAMPAKKARA P.O., KARUKACHAL GRAMA PANCHAYAT,
   CHANGANASSERY TALUK, KOTTAYAM DISTRICT, KERALA-686 540.
7. **DIVYA VISAKH,**
   AGED 35 YEARS
   W/O.VISAKH SASIDHARAN, DEVARAGAM, SUBASH PADI, WARD NO.15, CHAMPAKKARA P.O., KARUKACHAL GRAMA PANCHAYAT,
   CHANGANASSERY TALUK, KOTTAYAM DISTRICT, KERALA-686 540.
8. **RATHEEP M.KURUP,**
   AGED 40 YEARS
   SUCHITHRA HOUSE, WARD NO.15, CHAMPAKKARA P.O.,
   KARUKACHAL GRAMA PANCHAYAT, CHANGANASSERY TALUK,
   KOTTAYAM DISTRICT, KERALA-686 540.
9. **JYOTHISH GOPALAKRISHNAN,**
   AGED 32 YEARS

S/O.GOPALAKRISHNAN, KRISHNAVILASOM, WARD NO.15, CHAMPAKKARA P.O., KARUKACHAL GRAMA PANCHAYAT, CHANGANASSERY TALUK, KOTTAYAM DISTRICT, KERALA-686 540.

BY ADVS.
M.R.SASITH
V.VINEETHA

OTHER PRESENT:

GP SRI. RIYAL DEVASSY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

(Dated this the 24th day of July 2024)

The writ petition is filed for seeking direction to the respondents 1 to 3, to give adequate protection to the petitioner and other employees of the 'Bhagya Aquaplast' from the threat of respondents 5 to 9 and others under them.

2. An interim order was passed on 08.07.2021, directing the third respondent to ensure that law and order is maintained. The respondents have not filed any counter affidavit till date.

3. The learned Government Pleader, on instructions, submits that pursuant to the interim order, there is no law and order situation in that area. Therefore, this Writ Petition is allowed making the interim order absolute.

Sd/-

BASANT BALAJI

JUDGE

saap

APPENDIX OF WP(C) 13552/2021

PETITIONER EXHIBITS

Exhibit P1	**THE TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 29.03.2021.**
Exhibit P2	**THE TRUE COPY OF THE ACKNOWLEDGMENT CERTIFICATE ISSUED AS PER SEC.5 (3) OF THE KERALA MICRO SMALL MEDIUM ENTERPRISES FACILITATION ACT, 2019.**
Exhibit P3	**THE TRUE COPY OF THE UDAYAM CERTIFICATE ISSUED BY THE GOVERNMENT OF INDIA, MINISTRY OF MICRO SMALL AND MEDIUM ENTERPRISES (MSME).**
Exhibit P4	**THE TRUE COPY OF THE PERMIT AND PLAN ISSUED BY THE KARUKACHAL GRAMA PANCHAYAT DATED 17.04.2018.**
Exhibit P5	**THE TRUE COPY OF THE ACKNOWLEDGMENT DATED 05.11.2020 ISSUED BY THE KARUKACHAL GRAMA PANCHAYATH.**
Exhibit P6	**THE TRUE COPY OF THE LETTER ISSUED BY THE KARUKACHAL GRAMA PANCHAYATH DATED 21.12.2020.**
Exhibit P7	**THE TRUE COPY OF THE DEMAND DRAFT ISSUED BY THE CANARA BANK DATED 30.01.2021.**
Exhibit P8	**THE TRUE COPY OF THE LETTER DATED 13.04.2021 ISSUED BY THE 4TH RESPONDENT.**
Exhibit P9	**THE TRUE COPY OF THE POSTERS EXHIBITED BY THE RESPONDENTS 5 TO 8 AND OTHERS.**
Exhibit P10	**THE TRUE COPY OF THE NOTICE ISSUED BY RESPONDENTS 5 TO 8 TO THE PUBLIC.**
Exhibit P11	**THE TRUE COPY OF THE PHOTOGRAPHS SHOWING THE UNLAWFUL ASSEMBLY VIOLATING THE COVID PROTOCOL AND USING MIKE WITHOUT MIKE SANCTION.**
Exhibit P12	**THE TRUE COPY OF THE PETITION FILED BY THE HUSBAND OF THE PETITIONER DATED 03.05.2021.**
Exhibit P13	**THE TRUE COPY OF THE PETITION FILED BY THE PETITIONER TO THE RESPONDENTS 1 TO 4 DATED 17.06.2021.**