

Kerala High Court

C.J.Prasad vs The Circle Inspector Of Police on 3 June, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 17734 of 2007(J)

1. C.J.PRASAD, AARUMALAYIL,
... Petitioner
2. M.T.SAJIMON, PUKADIMALAYIL,
3. A.N.SIVAN, ALAMCHERI,
4. THANKACHAN A.B., AANJALITHARYIL,
5. K.P.PRASAD, KADANCHIRA,
6. P.A.RASHEED, PUKADYMALIYIL,
7. P.T.THOMAS, PUKADYMALIYIL,

Vs

1. THE CIRCLE INSPECTOR OF POLICE,
... Respondent
2. THE SUB INSPECTOR OF POLICE,
3. THE MANAGER, DISTRICT DEPOT,
4. THE CHAIRMAN,
5. A.T.BIJU, KANIYAMPARAMBIL HOUSE,
6. V.K.SUNIL, VELIYAPARAMBIL HOUSE,
7. K.K.AYYAPPAN, KIZHEKKEKKUTTU,

For Petitioner :SRI.FEBIN J.VELUKARAN

For Respondent :SMT.MOLLY JACOB,SC,SUPPLYCO

The Hon'ble MR. Justice K.BALAKRISHNAN NAIR
The Hon'ble MRS. Justice M.C.HARI RANI

Dated :03/06/2008

O R D E R

K.BALAKRISHNAN NAIR & M.C.HARI RANI, JJ.

Writ Petition (C) No.17734 of 2007-J

Judgment Balakrishnan Nair, J.

The petitioners are headload workers attached to pool no.38B under the 4th respondent. The membership of respondents 5 to 7 of that pool now stands terminated as per Ext.P2. The petitioners submit, the said respondents have joined another union and with their support, are coming to the work place and trying to threaten the petitioners and manhandle them. In the above background, they have moved the police for necessary protection so that they can do the work under the pool without any obstruction from the said respondents. When the police did not take any action, this Writ Petition is filed, seeking appropriate reliefs.

2. This court, while admitting the Writ Petition, issued an interim order in favour of the petitioners. Respondents 5 to 7 have filed a counter affidavit, stating that they have taken steps to avoid Ext.P2 in appropriate proceedings. They also deny the allegation that they are threatening the petitioners. In fact, they are only three in number whereas the petitioners are 7. So, the allegations are unfounded, it is submitted.

3. We heard the learned Government Pleader for the official respondents and also the learned Standing Counsel for the third respondent. As long as Ext.P2 remains in force, we feel that the interim order granted by this court should remain in force. But, if Ext.P2 is set aside by the competent authority and the membership of respondents 5 to 7 in the pool is restored, the interim order granted by this court will stand vacated.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE

03.06.2008

M.C.HARI RANI, JUDGE

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