

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH.P.

WEDNESDAY, THE 13TH DAY OF MAY, 2020/23RD VAISAKHA, 1942

W.P(C) NO.9915 OF 2020

PETITIONERS

NAVEEN MATHEW PHILIP
S/O PHILIP MATHEW
AGED 35, PROPRIETOR,
PHILIPS GRANO PRODUCTS
ANICADU PO, RESIDING AT THEKKENEDUMPLACKAL
MALLAPPALLY WEST
PATHANAMTHITTA DIST. 689 645

BY ADV. SRI.CHERIAN GEEVARUGHESE
SRI.P.HARIDAS

RESPONDENTS

1. STATE OF KERALA, REP. BY ITS SECRETARY
DEPARTMENT OF HOME, STATE SECRETARIAT
THIRUVANANTHAPURAM - 695 001
2. STATE POLICE CHIEF, STATE OF KERALA
THIRUVANANTHAPURAM 695 001
3. DISTRICT POLICE CHIEF, PATHANAMTHITTA - 689 645
4. DEPUTY SUPERINTENDENT OF POLICE
THIRUVALLA 689 101
5. SHO, POLICE STATION, KEEZHVAIPUR PO
PIN 689 587
6. SRI. ISMAIL KOTTUKULATHU, SECRETARY
TIPPER OWNERS, DRIVERS WELFARE ASSOCIATION
MALLAPPALLY TALUK COMMITTEE - 689 585
PH 960589159
7. SRI. RAJEEV SHIVANI, PRESIDENT
TIPPER OWNERS, DRIVERS WELFARE ASSOCIATION

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MALLAPPALLY TALUK COMMITTEE - 689 585
PH: 960596602

R1-5 BY SMT.B.VINITHA GOVERNMENT PLEADER
R6-7 BY

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
13.05.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

GOPINATH.P, J

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WP(C) NO. 9915 OF 2020

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DATED THIS THE 13th DAY OF May, 2020

ORDER

Admit.

2. Government Pleader takes notice for respondents 1 to 5. Urgent notice by speed post to respondent Nos. 6 & 7. The petitioner will also endeavor to serve notice on respondents 6 and 7 through email/whatsapp message.

3. The petitioner is conducting a stone crushing unit. According to him, despite huge increase in the cost of raw materials, a group of lorry owners and drivers under the leadership of respondents 6 and 7 are insisting that the petitioner should sell his products at a particular rate to them and they are causing

obstruction to the activity of the petitioner, since he could not agree to their demands.

The learned Government Pleader, on instruction, submits that the enquiries reveal that the complaint raised by the petitioner is genuine. In such circumstances, there will be an interim order directing the respondents 3 to 5 to ensure that the activities of the petitioner are not obstructed in any manner by respondents 6 to 7, or their men, pending disposal of this writ petition. It shall also be ensured that the customers of the petitioner are also not prevented in any manner from taking materials from the business premises of the petitioner.

GOPINATH.P

JUDGE

APPENDIX

PETITIONERS EXTS.

EXT.P1 TRUE COPY OF THE INTEGRATED CONSENT TO OPERATE
ISSUED BY THE POLLUTION CONTROL BOARD DTD. 11.7.18

EXT.P2 TRUE COPY OF DEALERS LICENCE ISSUED BY THE
DEPARTMENT OF MINING AND GEOLOGY DTD. 5.3.2020

EXT.P3 TRUE COPY OF D& O LICENCE ISSUED BY THE LOCAL
AUTHORITY DTD. 2.4.19

EXT.P4 TRUE COPY OF CERTIFICATION ISSUED UNDER GOODS AND
SERVICE TAX ACT DTD. 17.7.2018

EXT.P5 TRUE COPY OF CERTIFICATE OF REGISTRATION UNDER
SGST DTD. 28.9.18 BY THE ASST. COMMISSIONER SALES TAX

EXT.P6 TRUE COPY OF GST INVOICE DTD. 12.2.2020 ISSUED BY
PHILIPS GRANO PRODUCTS

EXT.P7 TRUE COPOY OF GST INVOICE DTD. 8.5.2020 ISSUED BY
PHHILIPS GRANO PRODUCTS

EXT.P8 TRUE COPY OF THE REPRESENTATION BEAFORE THE 5TH
RESPONDENT DTD 9.5.2020 FILED BY THE PETITIONERS.