

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH. P.

WEDNESDAY, THE 15TH DAY OF MAY, 2020/25TH VAISAKHA, 1942

W.P(C) NO. 9942 OF 2020

PETITIONER :

TRAVANCORE READYMIX (P) LTD,
T.C. 54/928, ROHINI SADANAM,
MELAMCODE, NEMOM P.O.,
THIRUVANANTHAPURAM- 695020.
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI. V. SUDHAKARAN.

BY ADVS.

SRI. ENOCH DAVID SIMON JOEL,
SRI. RONY JOSE,
SRI. GEORGE A. CHERIAN &
SRI. LEO LUKOSE,

RESPONDENTS :

1. DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM -695001.
2. DEPUTY SUPERINTENDENT OF POLICE,
NEYANTINKKARA,
THIRUVANANTHAPURAM - 695121.
3. SUB INSPECTOR OF POLICE,
VELLARADA POLICE STATION,
VELLARADA, THIRUVANANTHAPURAM - 695505.
4. VELLARADA ACTION COUNCIL,
REPRESENTED BY RESSALAYAN, AGED 52 YEARS,
RESIDING AT THOTTATHIL HOUSE,
MARAPPALAM, THEKKUPARA P.O,
THIRUVANANTHAPURAM -695505.
5. RAJENDRAN @ SAJU
NIRAPPIL HOUSE, KOOTHALI DESOM,
VELLARADA P.O, THIRUVANANTHAPURAM - 695505.

6. RESSALAYAN,
AGED 52 YEARS,
RESIDING AT THOTTATHIL HOUSE,
MARAPPALAM, THEKKUPRA P.O,
THIRUVANANTHAPURAM -695505.

7. JAYADAS,
ELOSHIYA GRAHAM, KUYAMUTTOR
AMBOORI VILLAGE, THEKKUPARA P.O,
THIRUVANANTHAPURAM -695505.

8. GEETHA,
W/O JAYADAS,
ELOSHIYA GRAHAM, KUYAMUTTOR
AMBOORI VILLAGE, THEKKUPARA P.O,
THIRUVANANTHAPURAM -695505.

9. SURENDRAN,
S/O SUKUMARA PANIKER,
KADAYARVEEDU, MARAPALLAM,
THEEKUPARA P.O,
THIRUVANANTHAPURAM -695505.

10. T.L RAJ, S/O TANKARAJ,
FORMER PANCHAYAT PRESIDENT,
KRIPA SADANAM, VELLARADA VILLAGE,
KOOTHALI P.O, THIRUVANANTHAPURAM -695505.

11. BALAKRISHNAN,

S/O KRISHNANKUTTY,

ROAD ARIKATTHUVEEDU,

MARAPPALAM, THEEKUPARA P.O,

THIRUVANANTHAPURAM -695505.

12. RAJU JEEVADAS,

S/O GOVINDAN NADAR,

POOVANTHALA VEEDU,

KOOTHALI P.O,

THIRUVANANTHAPURAM -695505.

13. MUTOOR,

VELLARADA VILLAGE,

MARAPPALAM P.O,

THIRUVANANTHAPURAM -695004.

14. RAJU,

S/O ANTONY NADAR,

KADAYARA VEEDU ,

MARAPPALAM, THEKKUPARA P.O,

THIRUVANANTHAPURAM -695505.

15. LYJU,

NEAR KOOTHALI MANAGEMENT SCHOOL,

APPUKONAM, KOOTHALI P.O,

THIRUVANANTHAPURAM -695505.

16. MANIYAN,

S/O APPUKUTTAN NADAR,

A.S BHAVAN, MANALI, P.O,
THIRUVANANTHAPURAM - 695505.

BY GOVERNMENT PLEADER SRI.K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
15.05.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER

Admit. Learned Government Pleader takes notice for respondents 1 to 3. Notice by speed post/e-mail to respondents 4 to 16.

2. This writ petition is filed seeking police protection to enable the petitioner to carry on work at his quarry without illegal interference and obstruction from respondents 4 to 16 or anyone acting under them. Learned Government Pleader on instructions would submit that at present there is no law and order situation and if there is any law and order situation the 3rd respondent will ensure that there is no unlawful obstruction to the petitioner's business.

3. The learned counsel for the petitioner submits that each and every permit required under law for operating his quarry has been obtained by him. Under such circumstances, it is directed that if any obstruction is caused by respondents 4 to 16 or anyone acting under them, the petitioner may inform the same to the 3rd respondent who will take such action as is necessary to

ensure that such obstruction is removed and the petitioner is in a position to continue his business.

Post after service of notice.

GOPINATH P., JUDGE

okb

APPENDIX**PETITIONERS EXHIBITS:**

EXHIBIT P1: TRUE COPY OF THE QUARRYING LEASE DATED
23.11.2018 VALID TILL 22.11.2029 ISSUED
TO THE PETITIONER

EXHIBIT P1 (A) : TRUE COPY OF THE CONSENT TO OPERATE THE
QUARRY ISSUED BY THE POLLUTION CONTROL
BOARD VALID TILL 28.03.2022.

EXHIBIT P1 (B) : TRUE COPY OF THE D&O LICENSE ISSUED BY
THE SECRETARY, VELLANADA GRAMA PANCHAYAT
FOR THE PERIOD 2020-22.

EXHIBIT P1 (C) : TRUE COPY OF THE ENVIRONMENTAL
CLEARANCE CERTIFICATE DATED 29.03.2017
ISSUED BY THE DEIAA, THIRUVANATHAPURAM.

EXHIBIT P1 (D) : TRUE COPY OF THE EXPLOSIVES LICENCE
DATED 23.05.2018 ISSUED BY THE JOINT
CHIEF CONTROLLER OF EXPLOSIVES.

EXHIBIT P2 : TRUE COPY OF THE REPRESENTATION DTD.
11.05.2020 SUBMITTED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT

EXHIBIT P2 (A) : TRUE COPY OF ACKNOWLEDGMENT RECEIPT
ISSUED BY THE 2ND RESPONDENT.