

Satheesh Kumar Vs. the Rural Sp

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Court : Kerala

Decided On : Nov-26-2013

Judge : Honourable Mr.Justice S.Siri Jagan

Appellant : Satheesh Kumar

Respondent : The Rural Sp

Judgement :

IN THE HIGH COURT OF KERALAATERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE S.SIRI JAGAN & THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN TUESDAY,THE26H DAYOF NOVEMBER20135TH AGRAHAYANA, 1935 WP(C).No. 25833 of 2013 (D) ----- PETITIONER : ----- SATHEESHKUMAR, AGED32EARS S/O.SOMAN, SATHEESH COTTAGE, THOZHICHAL AZHAKULAM, VIZHINJAM NOW RESIDING AT MULLUCADU PUNNAPURAM, KOTUKAL P.O., THIRUVANANTHAPURAM. BY ADV.SRI.SYAMJ SAM RESPONDENTS : ----- 1. THE SUPERINTENDENT OF POLICE (RURAL S.P.), THIRUVANANTHAPURAM - 695 001.

2. THE CIRCLE INSPECTOR OF POLICE, VIZHINJAM, THIRUVANANTHAPURAM695521.

3. THE SUB INSPECTOR OF POLICE, KOVALAM, THIRUVANANTHAPURAM695526.

4. BINU, AGED 39 YEARS B/208, AMBEDKAR GRAMAM RESIDENCE ASSOCIATION, (AGRA) VENGANNORE VILLAGE, VENGANOOR P.O, NEYYATTINKARA THIRUVANANTHAPURAM - 695 526 (SECRETARY, CITY TAXI STAND, UPASANA UNIT, KOVALAM) 5. LALAN,, AGED 30 YEARS PULININNA VILAKAM, THOZHICAL, KOVALAM, P.O., THIRUVANANTHAPURAM (SECRETARY BMS, TAXI STAND, UPASANA UNIT, KOVALAM) 695 526.

6. RTO, NEYYATTINKARA, THIRUVANANTHAPURAM 695121. R4 & 5 BY ADV. SRI. C. K. MOHANAN R1 TO R3 & R6 BY GOVERNMENT PLEADER SRI. MOHAMMED SHAH THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 25833 of 2013 (D) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXT.P1: THE TRUE COPY OF THE DRIVING LICENSE DATED 6/11/2009 OF PETITIONER. EXT.P2: THE TRUE COPY OF THE DRIVING LICENSE DATED 18/10/2012 OF PETITIONER EXT.P3: THE TRUE COPY OF THE IDENTITY CARD ISSUED TO THE PETITIONER BY INTUC (DRIVERS CONGRESS) EXT.P4: THE TRUE COPY OF THE CONTRACT CARRIAGE PERMIT CARD ISSUED TO THE PETITIONER'S VEHICLE. EXT.P5: THE TRUE COPY OF THE PETITION GIVEN BY THE PETITIONER TO SAID THE RESPONDENTS. RESPONDENT(S)' EXHIBITS : NIL ----- /TRUE COPY/ P.ATO JUDGE AV S. SIRI JAGAN & K. RAMAKRISHNAN, JJ.

===== W.P.(C).No. 25833 of 2013 ===== Dated this the 26th day of November, 2013

JUDGMENT

S.Siri Jagan, J.: The petitioner owns a taxi and he is a driver by profession. He wants to eke out his livelihood by running the taxi on hire. The petitioner complains that on account of enmity, respondents 4 and 5 are not permitting the petitioner to park the taxi at Upasana junction taxi stand at Kovalam. The petitioner sought police help. The police did not oblige him. That is why, the petitioner has filed this writ petition seeking the following reliefs: "A) to issue a writ of mandamus or any

other appropriate writ order or direction directing respondents 1 to 3 and 6 to provide adequate protection to the life of the petitioner and provide adequate protection to run his taxi car. B) to direct respondents 1 to 3 to take action pursuant to Ext.P5.

2. Respondents 4 and 5 appear through counsel and submit that they will not in any way obstruct the petitioner parking his taxi in the Upasana junction taxi stand and operating w.p.c.25833/13 - :

2. :- the same from that taxi stand. This is recorded. If the taxi stand at Upasana junction is an authorised taxi stand, respondents 2 and 3 shall give protection to the petitioner for parking the taxi at Upasana junction taxi stand and operating the same from that stand without any interference from respondents 4 and 5. But we make it clear that our intention in issuing the above direction is not to recognise the said taxi stand as an authorised one and if the same is not an authorised one, the police is not only bound to give protection, but also bound to see that the stand is removed. The writ petition is disposed of as above. Sd/- S.SIRI JAGAN, JUDGE
Sd/- sdk+ K.RAMAKRISHNAN, JUDGE ///True copy/// P.A. to Judge

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