

Thomas Daniel Vs. State of Kerala

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Court : Kerala

Decided On : Nov-10-2014

Judge : Honourable the Ag.Chief Justice Mr.Ashok Bhushan

Appellant : Thomas Daniel

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN & THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE MONDAY, THE 10TH DAY OF NOVEMBER 2014 19TH KARTHIKA, 1936 WP(C).No. 29548 of 2014 (P) ----- PETITIONER(S): ----- 1. THOMAS DANIEL AGED 57 YEARS IN CHAKKAL HOUSE, MANNAR VILLAGE KUTTAMPEROOR P.O. ALAPPUZHA DISTRICT.

2. ANIRUDHAN V.K. VELAMPARAMPIL HOUSE, MANNAR VILLAGE KUTTAMPEROOR P.O ALAPPUZHA DISTRICT BY ADVS.SRI.R.GIREESH VARMA SRI.SAVIO DAVID MUNDACKAL RESPONDENT(S): ----- 1. STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT THIRUVANANTHAPURAM 69500 2. REGIONAL TRANSPORT OFFICER REGIONAL TRANSPORT OFFICE, ALAPPUZHA 68800 3. SUB INSPECTOR OF POLICE POLICE STATION, MANNAR. 689 622 4. MANNAR GRAMA

PANCHAYATH REPRESENTED BY ITS SECRETARY GRAMA PANCHAYATH OFFICE MANNAR P.O. 689 622 5. BAHULEYAN KOCHUVEETIL HOUSE, KUTTAMPEROOR P.O ALAPPUZHA DISTRICT689623 6. RADHAKRISHNAN PATTATHIL THEKKETHIL HOUSE, KUTTAMPEROOR P.O ALAPPUZHA DISTRICT689623.

7. RAJAN, VENATTU HOUSE KUTTAMPEROOR P.O, ALAPPUZHA DISTRICT689623.

8. SHAJI, NADACHAMKUTTIYIL HOUSE KUTTAMPEROOR P.O, ALAPPUZHA DISTRICT689623. -2- WP(C).No. 29548 of 2014 9. UNNIKRISHNAN, THENGONA HOUSE KUTTAMPEROOR P.O, ALAPPUZHA DISTRICT689623.

10. RADHAKRISHNAN, POKKATTETHU THEKKETHIL KUTTAMPEROOR P.O, ALAPPUZHA DISTRICT689623. R BY GOVERNMENT PLEADER THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON1011-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 29548 of 2014 (P) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- EXT.P1 - TRUE COPY OF THE FITNESS CERTIFICATE ISSUED TO THE VEHICLE OF THE1T PETITIONER EXT.P2 - TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE1T PETITIONER EXT.P3 - TRUE COPY OF THE CONTRACT CARRIAGE PERMIT ISSUED TO THE VEHICLE OF THE1T PETITIONER EXT.P4 - TRUE COPY OF THE FITNESS CERTIFICATE ISSUED TO THE VEHICLE OF THE2D PETITIONER EXT.P5 - TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE2D PETITIONER EXT.P6 - TRUE COPY OF THE CONTRACT CARRIAGE PERMIT ISSUED TO THE VEHICLE OF THE2D PETITIONER EXT.P7 - TRUE COPY OF THE COMPLAINT SUBMITTED TO THE3D RESPONDENT BY THE1T PETITIONER WITH ENGLISH TRANSLATION OF THE SAME EXT.P7(A) - TRUE COPY OF THE RECEIPT ISSUED TO THE1T PETITIONER FROM MANNAR POLICE STATION DATED2010-2014 EXT.P8 - TRUE COPY OF THE COMPLAINT SUBMITTED TO THE3D RESPONDENT BY THE2D PETITIONER WITH ENGLISH TRANSLATION OF THE SAME EXT.P8(A) - TRUE COPY OF THE RECEIPT

ISSUED TO THE 2D PETITIONER FROM MANNAR POLICE STATION
DATED 2010-2014 EXT.P9 - TRUE COPY OF THE COMPUTER PRINT OUT OF
THE

JUDGMENT

IN WPC.11456/2013 OBTAINED FROM THE COURT. RESPONDENT(S)
EXHIBITS ----- NIL /TRUE COPY/ PS TO JUDGE ASHOK
BHUSHAN, Ag.CJ & A.M.SHAFFIQUE, J -----
W.P(C).No. 29548 of 2014 ----- Dated this the 10th
November, 2014

JUDGMENT

Shaffique, J.

The petitioners have approached this Court for police protection to park their vehicles on the autorikshaw parking space at Koyickalmukku junction. According to them, they are owners of Motor Cabs, which are duly registered and permits have been issued in the category of light motor vehicle. The complaint of the petitioners is with reference to obstruction being created by the party respondents, when they attempted to park their vehicles in the autorikshaw stand.

2. The learned Government Pleader, on instruction, would submit that on receiving complaint from the petitioners, the parties were summoned and after enquiry about the dispute raised, the petitioners were permitted to park their vehicle on the opposite side of the WP(C).29548/14 2 autorikshaw stand in a particular place. Thereafter there is no law and order situation as complained. On a perusal of the permit conditions, it is not clearly indicated where the petitioners should park their vehicle.

3. Under such circumstances, we do not think that the petitioners are entitled for any direction as sought for. If there is any law and order situation, it shall be open for the petitioners to approach the Police authorities, who shall look into the matter and do the needful. The Writ Petition is dismissed. ASHOK BHUSHAN ACTING CHIEF JUSTICE A.M.SHAFFIQUE JUDGE vgs10/11/14