

(2021) 06 KL CK 0333

In the High Court Of Kerala

Case No : Writ Petition (C) No. 7555 Of 2021

R.K.Builders And Developers

APPELLANT

Vs

District Police Chief Alappuzha District, Ccsb Road, Civil
Station Ward, Alappuzha

RESPONDENT

Date of Decision : 23-06-2021

Acts Referred:

Citation : (2021) 06 KL CK 0333

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : Rajesh Chakyat, S.Krishna Moorthy

Judgement

P.V.Kunhikrishnan, J.

1. The above writ petition is filed with following prayers;

â?? i) issue a writ of mandamus or other appropriate writ or order directing the 1st, 2nd, and 3rd respondents to give effective police protection to the

workers/employees of petitioner's firm to conduct construction works of residential building in resurvey No.237/4/1 at Vayalar East Village, Vayalar Panchayat,

in Cherthala Taluk of Alappuzha district from respondents 6 to 8 and their men.

ii) issue a writ of mandamus or other appropriate writ or order directing respondents 1 to 3 to consider Exhibit P2 and take immediate action of the same and

take effective steps to maintain law and order situation.

iii) issue any other writ, order or directions as this Honâ??ble Court may deem fit and proper in the interest of justice and in the circumstances of the case.â??

Â

2. Petitioner is a firm doing construction works of both commercial and residential buildings across Kerala. According to the petitioner, one Mr. Anil

Kumar S, Payikkatu Nikarthil House, Cherthala, Alapuzha approached the petitioner firm for constructing a residential building in resurvey No.237/4/1

at Vayalar East Village, Vayalar Panchayath in Cherthala Taluk of Alapuzha District. When the construction activities were started the respondents

6, 7 and 8 came to the site and demanded money. They are the trade unions in the locality. According to the petitioner, it is not a scheme covered

area. The construction activities are done through the employees of the petitioner. According to the petitioner, respondents 6 to 8 has no right to

obstruct the construction activities of the petitioner.

3. The Government Pleader after getting instructions submitted that, there is no law and order problem in the construction site and if there is any law

and order problem the police will do the needful. The Standing Counsel, who appeared for respondents 4 and 5 submitted that, it is not a scheme

covered area. In such circumstances, this writ petition can be disposed recording the statement of the Government Pleader and also

making it clear that if there is any law and order problem the police will do the needful. Therefore, this writ petition is disposed in the following

manner.

1. The statement of the Government Pleader that there is no law and order problem in the construction premises of the petitioner is recorded.

2. If there is any law and order problem in future, the petitioner can approach the 2nd respondent with a representation. If such a representation is received by the 2nd

respondent, the 2nd respondent will do the needful and afford police protection in accordance to law.