

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN
Thursday, the 27th day of January 2022 / 7th Magha, 1943
WP(C) NO. 1671 OF 2021(H)

PETITIONER:

THE MANNAM SUGAR MILLS CO-OPERATIVE LTD., REPRESENTED BY ITS
MANAGING DIRECTOR, DR. THULASEEDHARAN NAIR, MSM (P.O), PANDALAM,
PATHANAMTHITTA-689 501.

RESPONDENTS:

1. DEPUTY SUPERINTENDENT OF POLICE, OFFICE OF DEPUTY SUPERINTENDENT OF
POLICE, PANDALAM, MSM (P.O.), PATHANAMTHITTA-691 014.

AND OTHERS.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents 1 and 2 to afford adequate and effective police protection for the removal of all flag masts erected in front of the roundabout of the light tomb within such time fixed by this Hon'ble Court, pending disposal of the above Writ Petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 20.12.2021 and upon hearing the arguments of M/S.R.T.PRADEEP, V.VIJULAL, M.BINDUDAS & K.C.HARISH, Advocates for the petitioner and of GOVERNMENT PLEADER for R1, R2, R3 & ADDL.R7 to ADDL.R9, the court passed the following:

DEVAN RAMACHANDRAN, J.

W.P.(C)No.1671 of 2021

Dated this the 27th day of January, 2022

O R D E R

Sri.S.Kannan - learned Senior Government Pleader, requested for time on behalf of the learned Additional Advocate General - Sr.Asok M.Churian, saying that he is presently indisposed.

2. Sri.S.Kannan, however, submitted that, imbibing the spirit of the orders passed by this Court already, no new flag masts are being allowed to be erected, and that action has also been taken in various districts to remove those which have been illegally done. In fact, Sri.R.T.Pradeep - learned counsel for the petitioner, affirms that the illegal flag masts involved in this case have already been removed.

3. That said, this Court is aware of the stand of the Government that they are in the process of evolving a comprehensive policy with respect to flag

masts to be erected in future and those which have already been installed. Since this is a matter of policy and the learned Additional Advocate General is stated to be indisposed presently, I deem it appropriate to grant three more weeks time.

4. Needless to say, the earlier orders issued against the District Collectors will continue to be in operation and this Court would expect reports from each of the districts as to the action already taken with respect to illegally installed posts and flag masts.

It also goes without saying that no new flag masts or posts will be allowed to be erected anywhere in Kerala until the policy is evolved by the Government, as stated before me by the learned Senior Government Pleader.

I, therefore, adjourn this matter to be called on 21.02.2022.

Sd/-
DEVAN RAMACHANDRAN
JUDGE

akv

H/o