



2025:KER:31158

WP(C) NO.33897 OF 2019

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 10th DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 33897 OF 2019

PETITIONER/S:

LAKSHMANAN P. ,
AGED 65 YEARS
S/O.KORAN NAIR, PARAYIL HOUSE, AZHIKODE AMSOM DESOM,
P.O.AZHIKODE, KANNUR - 670 009.

BY ADVS.
V.R.KESAVA KAIMAL
SMT.C.DEVIKA RANI KAIMAL

RESPONDENT/S:

1 THE COMMANDANT, DEFENCE SECURITY CORPS CENTRE,
BURNASSERY, KANNUR - 670 013.

2 KRISHAN LAL AGARWAL,
DEFENCE SECURITY CORPS CENTRE, CAFETERIA, TAILOR SHOP 1
AND 2, PRINTING PRESS, STATIONERY SHOP AND STD BOOTH,
BURNASSERY, KANNUR - 670 013.

3 AHADH,
COFEE DAY OUTLET, C/O.DEFENCE SECURITY CORPS CENTRE,
BURNASSERY, KANNUR - 670 013.

BY ADVS.
SHRI.T.C.KRISHNA, DSGI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



MOHAMMED NIAS C. P. ,J.

.....
W. P. (C) No. 33897 OF 2019

.....
Dated this the 10th day of April, 2025

J U D G M E N T

The petitioner challenges Ext.P10, a notice inviting tender issued by the 1st respondent, the Commandant, Defence Security Corps Centre, Kannur (DSC Centre), to run the ex-servicemen Cafeteria for the trainees, staff, and visitors at the Defence Security Corps Centre.

2. The petitioner contends that the regimental shops were being allotted to persons like the petitioner and as per the changed policy, 100% reservation was granted in favour of the specified categories in total exclusion of all of the civilians from being granted a licence in respect of a regimental shop. I have considered the challenge to the above policy in writ petition No.39906 of 2018 and connected case through judgment dated 14th March, 2025 and upheld the policy.

3. In this case, the petitioner was already evicted. His limited prayer in the writ petition now is to return the articles taken by the respondents while evicting him.



4. It is submitted on behalf of the respondents that the articles taken from the petitioner are kept in the DSC Centre, Kannur. The respondents shall return the articles taken from the petitioner within three weeks from today.

5. The learned counsel for the petitioner also submits that he may be given the liberty to claim compensation in case the articles taken by the respondents are damaged. Liberty is granted to claim damages, in case any loss is caused to the petitioner.

The challenge to the policy fails and the writ petition is dismissed, subject to the above liberty.

SD/-

MOHAMMED NIAS C.P.,

JUDGE



APPENDIX OF WP(C) 33897/2019

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF THE IDENTITY CARD ISSUED BY THE SAINIK WELFARE OFFICE, KANNUR.
EXHIBIT P2	TRUE COPY OF THE CIRCULAR DATED 03/01/1972 ISSUED BY THE ARMY HEAD QUARTERS.
EXHIBIT P3	TRUE COPY OF THE CIRCULAR DATED 06/01/1976 ISSUED BY THE ARMY HEAD QUARTERS.
EXHIBIT P4	TRUE COPY OF THE CIRCULAR DATED 21/05/1998 ISSUED BY THE ARMY HEAD QUARTERS.
EXHIBIT P5	TRUE COPY OF THE MEMORANDUM OF AGREEMENT DATED 01/12/2018.
EXHIBIT P6	TRUE COPY OF THE APPLICATION FOR RENEWAL DATED 07/11/2019.
EXHIBIT P7	TRUE COPY OF THE NOTICE DATED 23/11/2019.
EXHIBIT P8	TRUE COPY OF THE JUDGMENT DATED 04/12/2014 IN W.P. (C) NO.28929/2013.
EXHIBIT P9	TRUE COPY OF THE JUDGMENT DATED 05/10/2016 IN WRIT APPEAL NO.308/2016.
EXHIBIT P10	TRUE COPY OF THE PUBLIC NOTICE DATED 26/11/2019 PUBLISHED IN MATHRUBHUMI DAILY, KANNUR EDITION.