

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2015

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THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.1204 OF 2015

and

M.P.NO.1 OF 2015

Indus Motor Co. Pvt. Ltd.,
Maruti Authorised Dealer Workshop,
at 203 to 206, Mount Poonamalle Road,

Kattuppakkam, Chennai - 600 056,
represented by Authorised Signatory

...Petitioner

Vs

1. The Commissioner of Police,
O/o.Commissioner of Police,
Egmore, Chennai - 600 008.
2. The Joint Commissioner of Police,
Chennai City West,
Ambattur, Chennai - 600 053.
3. The Inspector of Police L & O,
T-12, Poonamallee Police Station,
Poonamallee, Chennai - 600 056.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to give adequate police protection to the properties of the petitioner's company and staffs and employees.

For Petitioner : Mr.P.Kannan

For Respondents : Mr.S.Gunasekaran
Govt. Advocate

O R D E R

Heard Mr.P.Kannan, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate for the respondents.

2. The Sub Inspector of Police, Law and Order, Poonamallee Police Station, Chennai, is present in the Court and has given instructions to the learned Government Advocate.

3. The petitioner is an authorised dealer workshop of M/s.Maruti Udyog and they filed this writ petition praying for a direction upon the respondents police to give police protection to the properties of the petitioner company, staff and employees. From the averments made in the affidavit filed in support of the writ petition, it is seen that the petitioner company said to have initiated disciplinary action against one of its employee, pursuant to which certain issues have arisen and according to the petitioner, a third party entered into their showroom and intimidated and threatened the staff of the petitioner.

4. In this regard, a complaint was given by the petitioner to the respondent police on 16.12.2014, which has been registered and C.S.R. was also issued. Thereafter, the third respondent police has taken up the matter for enquiry and it is stated that the officials of the petitioner company appeared before the respondents, but the opposite party, against whom allegations, have been made have failed to appear. In these circumstances, the petitioner is before this Court seeking for police protection.

5. If an employee of the petitioner company is aggrieved of any disciplinary action initiated, it is always open to him to approach the concerned forum, namely, Deputy Commissioner of Labour or the other forum provided under the Labour Welfare Legislation and vindicate his grievance. However, if there is any third party interference in carrying on the business of the petitioner company, then the third respondent should treat the request made by the petitioner company seeking police protection in accordance with the Rules. However, it is made clear that under the guise of police protection, the petitioner management cannot intimidate the staff members or try to achieve something, what they could not do to discipline the staff.

6. Making this position clear, there will be a direction to the third respondent to consider the petitioner's request for grant of police protection and accord the same in accordance with the Rules.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
O/o.Commissioner of Police,
Egmore, Chennai - 600 008.
2. The Joint Commissioner of Police,
Chennai City West,
Ambattur, Chennai - 600 053.
3. The Inspector of Police L & O,
T-12, Poonamallee Police Station,
Poonamallee, Chennai - 600 056.

1 CC to Mr.P.Kannan, Advocate SR.No. 2721

1 CC to the Government Pleader, SR.No. 2789

सत्यमेव जयते

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UG (CO)
PSI (21.01.2015)

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