

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2016
Coram

The Hon'ble Mr. Justice T.S.SIVAGNANAM

Writ Petition Nos.16406 and 29694 of 2015
&
M.P.Nos.1,1 of 2015

M/s. Greatoo (India) Pvt Ltd
Plot No.59/2, 8th Avenue, 1st cross road
Mahindra World City
Chengalpet Taluk
Kancheepuram District-603204
rep. by its Manager-Hr & Admin
P.Sathish Babu ...Petitioner in both the petitions

Vs.

- 1 The Superintendent of Police
Kancheepuram District.
- 2 The Inspector of Police
Chengalpattu Taluk Police Station
Kancheepuram District.
- 3 New Democratic Labour Front
Represented by its Secretary Having Office
at 110/63 NSK Salai Chennai-24.
(R3 Cause Title amended as per order
dated 17.03.2016 by TSSJ in WP No.5389/16,
in WP No.29694/15)
- 4 The Joint Commissioner of
Labour DMS Compound Teynampet Chennai-6.
.. R5 in WP 29694/15 and R4 in
WP 16406/15.
- 5 The Commissioner of Labour
DMS Compound
Teynampet Chennai-6.... R4 in WP 29694/15 and R5 in WP
16406/15
6. The Assistant Commissioner of Labour-II
DMS Compound, Teynampet
Chennai-6 ..6th respondent in W.P.No.29694 of 2015

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents 1&2 respectively to provide adequate police protection for the safety security and protection to the lives and property of the Petitioner factory Management Officials Staffs and other workers from the illegal acts of the delinquent workers their henchmen supporters.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Mr.R.Rajeswaran,
Spl.G.P for R1,2,4 to 6

Mr.S.Parthasarathy for R3

C O M M O N O R D E R

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

2. In both these wit petitions, the petitioner is the management of M/s.Greatoo (India) Pvt Ltd which is a manufacturing company and they have sought for police protection to enable them to smoothly run their operations. The petitioner would state that the factory has got very sophisticate machinery and a group of workmen are preventing the workmen from working in the factory and the said group is indulging in illegal strike apart from adopting go slow tactics.

3. The petitioner has lodged complaints before the Inspector of Police Chengalpet police station reporting certain untoward incidents. The petitioner would state that no proper enquiry was made on the complaint and no FIR was registered. It has to be pointed out that writ petitions were filed during June/September 2015 and it has to be seen as to whether as on date any serious issues requiring police protection to the petitioner to protect the factory and willing workmen.

4. Learned counsel for the petitioner has produced certain photographs to show that the workmen of the factory were assaulted and inspite of a complaint having been given no FIR has been registered. Learned counsel placed reliance on the decision of this Court in Fenner (India) Limited vs. The Superintendent of Police & Others, CDJ 2012 MHC 3269, wherein a direction was issued to the respondents therein to provide police protection to enable the petitioner to run the factory peacefully.

5. The Superintendent of Police, Kancheepuram District has

filed a common counter affidavit in both the writ petitions and it is submitted that based on the complaint given by the petitioner dated 08.09.2015, action has been taken by the Chengalpattu Taluk Police station and the Inspector of Police is maintaining regular constant vigil in the area and the Superintendent of Police also visited the petitioner company for monitoring the same and there is Police patrol who are continuously making rounds to keep vigil and on 09.09.2015, while investigating into the complaint, enquiries have been made with the HR Manager and other employees of the petitioner and the names of the Special Sub Inspectors who go for regular rounds have been setout in the paragraph 4 of the counter affidavit.

6. Further, the Superintendent of Police has stated that he is keeping proper patrolling and making sufficient police personnel and control the situation in amicable manner. Further, he has instructed the Inspector of Police and Sub Inspector of Police, Chengalpet Taluk police station to specifically monitor and watch regularly during day and night by posting beats to control the situation and to bring about a peaceful atmosphere. This counter affidavit of Superintendent of Police is dated 08.03.2016, which shows that adequate measures have been adopted by the police authorities.

7. Thus, by placing on record the stand taken by the Superintendent of Police in the counter affidavit, the writ petitions are disposed of by directing the police authorities to continue with the same operations as has been done by them hitherto and if any further problem faced by the petitioner, the same shall be brought to the notice of Superintendent of Police by a written complaint which shall be looked into and necessary action be initiated in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

//True Copy//

Sub Assistant Registrar

To

- 1 The Superintendent of Police
Kancheepuram District.

- 2 The Inspector of Police
Chengalpattu Taluk Police Station
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- 3 The Joint Commissioner of
Labour DMS Compound Teynampet Chennai-6.
- 4 The Commissioner of Labour
DMS Compound
Teynampet Chennai-6.
5. The Assistant Commissioner of Labour-II
DMS Compound, Teynampet
Chennai-6

+1 cc to Mr.R.Prabhakar, Advocate, sr.17921
+1 cc to Government Pleader, sr.17335

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