

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.12.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition Nos.13218 & 13219 of 2001

W.P.No.13218 of 2001

Mahe Beach Trading Company
Hindustal Petroleum Dealers
Parakkal, Mahe,
Pondicherry. ...Petitioner

-Versus-

1. Union of India
Represented by Union Territory of Pondicherry
Through Chief Secretary Pondicherry.
2. The Superintendent of Police
Mahe, Pondicherry.
3. The Sub-Inspector of Police
Mahe Police Station
Mahe.
4. Mahe Area Vanijya Vyavasaya Mazdoor Sangham (B.M.S)
Rep. by its General Secretary P.Vijayan
5. K.Damodaran
6. M.Mujeeb
7. P.C.Prakasaw
8. C.Suresh Kumar
9. M.Prabhakaran
10. A.P.Shajee
11. K.Sasidharan
12. T.K.Babu
13. P.Prabakaran ... Respondents

W.P.No.13219 of 2001

M/s.Mahe Autofuel Enterprises
Bharat Petroleum Dealers
Poozhithala, Mahe
Pondicherry. ..Petitioner

-Versus-

1. Union of India
Represented by Union Territory of Pondicherry
Through Chief Secretary Pondicherry.
2. The Superintendent of Police
Mahe, Pondicherry.
3. The Sub-Inspector of Police
Mahe Police Station
Mahe.
4. Mahe Area Vanijya Vyavasaya Mazdoor Sangham (B.M.S)
Rep. by its General Secretary P.Vijayan
5. C.K.Mukandan
6. V.Mukanda
7. P.Ramesh
8. C.Babu
9. V.Jamal

.... Respondents

Writ Petition No.13218 of 2001 filed under Section 226 of the Constitution of India praying for issuance of a writ of mandamus, to direct the 2nd respondent to provide necessary police protection to the petitioner concern for the smooth conduct of the Petroleum business carried on by the petitioner at premises bearing Old Survey No.798/1 and Re-Survey No.121/11 with building bearing door No.1/287 at Parakal Mahe.

Writ Petition No.13219 of 2001 filed under Section 226 of the Constitution of India praying for issuance of a writ of mandamus, to direct the 2nd respondent to provide necessary police protection to the petitioner concern for the smooth conduct of the Petroleum business carried on by the petitioner at premises bearing Survey No.798/3A with building bearing Door No.1/388 and 1/377 at Puzhithala Mahe.

For Petitioner : Mr.C.V.Vijayakumar
for Mr.T.R.Rajaraman
(in both WP Nos.13218 & 13219 of 2001)

For R1 to R3 : Mr.M.R.Thangavel
Additional Public Prosecutor
Pondicherry.
(in both WP Nos.13218 & 13219 of 2001)

C O M M O N O R D E R

These writ petitions have been filed to direct the 2nd respondent to provide necessary police protection to the petitioner concerned for the smooth conduct of the petroleum business carried on by the petitioner at premises bearing Old Survey No.798/1 and Re-Survey No.121/11 with building bearing door No.1/287 at Parakal Mahe and at premises bearing Survey No.798/3A with building bearing Door No.1/388 and 1/377 at Puzhithala Mahe.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor (Pondicherry) for the respondents 1 to 3.

3. M/s.Mahe Beach Trading Company is run by K.M.Abdul Gafoor and M/s.Mahe Autofuel Enterprises is run by Mrs.K.E.Rehmath, who is the wife of K.M.Abdul Gafoor. They are the dealers of petroleum products and they are having their petrol bunk at two different places in Mahe, Pondicherry. While so, there were labour disputes in the petrol bunk, on account of which, Mujeeb (R6) was transferred from M/s.Mahe Beach Trading Company to M/s.Mahe Autofuel Enterprises. This had infuriated the labour union and they had started agitating before the petrol bunk.

4. Under those circumstances, M/s.Mahe Beach Trading Company and M/s.Mahe Autofuel Enterprises have filed the above two writ petitions for police protection. The fact remains that the dispute is of the year 2001 and since then, much water has flown under the bridge.

5. Learned Additional Public Prosecutor (Pondicherry) submitted that there is no breach of peace at present.

6. Recording the same, these petitions are closed with liberty to the petitioners to work out their remedies in the manner known to law, as and when any fresh dispute arises. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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1. The Chief Secretary Pondicherry
The Union of India
Represented by Union Territory of Pondicherry
2. The Superintendent of Police
Mahe, Pondicherry.
3. The Sub-Inspector of Police
Mahe Police Station
Mahe.
4. The Public Prosecutor,
Pondicherry.

+1cc to the Government Pleader, S.R.No.72625

md(29/12/2016)

W.P.Nos.13218 & 13219 of 2001

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