

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM

THE HONOURABLE MR. **JUSTICE R.MAHADEVAN**

Writ Petition No.15261 of 2016

and W.M.P.No.13312 of 2016

Reliance Dyeing Works
rep. by its Partner
S.P.Saravanan

... Petitioner

Vs.

- 1 The Inspector of Police
Nallur Police Station Tiruppur.
- 2 The Tiruppur District
General Workers Union 158 Dharapuram Road
Tiruppur-4 Rep. by its General Secretary N.
Sekar.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus forbearing the second respondent or its men, agents or members or any staff or workers of the Petitioner Management from staging any protest, dharna, strike or resorting to shouting of slogans within 500 metres from the Petitioner unit and consequently forbear them from preventing any willing workers or staff from entering the Petitioner Unit or prevent any ingress and egress of materials, semi finished and finished goods of the Petitioner.

For Petitioner : Mr.Babu Barveez,

for M/s.Kaavya Silambanan Asso.

For Respondents : Mr.Sanjay Gandhi,
for R1 and R2

ORDER

The petitioner has come up with the present writ petition for a mandamus, forbearing the second respondent or its men, agents or members or any staff or workers of the Petitioner Management from staging any protest, dharna, strike or resorting to shouting of slogans within 500 metres from the Petitioner unit and consequently forbear them from preventing any willing workers or staff from entering the Petitioner Unit or prevent any ingress and egress of materials, semi finished and finished goods of the Petitioner.

2. It is the case of the petitioner that it is a partnership firm carrying on garment export and dyeing process at Tiruppur for the past 30 years. The petitioner firm is employing about 10 staff and 20 workers and gives all facilities to its workers and staff members. However, due to certain unforeseen circumstances, there was some delay in payment of wages to the workers and staff members in recent months. While so, a letter dated 9.4.2016 was received from the General Secretary of one Tiruppur District General Workers Union

through which they demanded 50% increase in salary. Further, the petitioner is reliably given to understand that the said Union decided to group in a few staff or workers and lock the entrance of the petitioner's premises and prevent the willing workers and staff from entering into the premises to do their duty. Hence, the petition.

3. Learned counsel appearing for the petitioner submitted that because of the threat made by the Tiruppur District General Workers Union, the second respondent herein, the willing workers and staff of the petitioner firm are scared to come to work freely. If there is any such protest preventing the ingress and egress of raw materials, finished and semi finished goods and prevention of willing workers and staff to enter and leave the premises, it will have a very serious consequences on the manufacture and export of the petitioner, which will result in serious financial crisis. Hence, he seeks adequate police protection to safeguard the smooth functioning of the petitioner firm with its willing workers and staff for manufacturing and exporting its materials / finished goods.

4. I have also heard the learned counsel appearing for the respondents.

5. Considering the above facts and circumstances of the case and considering the submission made by the learned counsel appearing for the petitioner, this Court directs the first respondent / the Inspector of Police, Nallur Police Station, Tiruppur, to give adequate protection to the petitioner firm to do the manufacturing activities with the willing workers and staff members and to ensure free ingress and egress of the men and materials at the factory premises. The first respondent is also directed to confirm that the agitating workers are staying 200 metres away from the factory premises. If any untoward incident is happening, the first respondent shall take appropriate action. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

11.01.2017

Index:Yes/No
sbi

To

- 1 The Inspector of Police
Nallur Police Station Tiruppur.

R.MAHADEVAN, J

sbi

W.P.No.15261 of 2016

DATED: 11.1.2017

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