

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.24212 of 2017

and

WMP.No.25587 of 2017

M/s.Solaimalai Enterprises
Represented by its Manager and
Authorized Representative
M.Gowrisankar,
S/o.Matheshwaran,
having office at Solaimalai Enterprises
Lakshmi Nagar,
Pollachi, Coimbatore District. ... Petitioner

Versus

- 1.The State of Tamilnadu,
Rep. by its Home Secretary,
Fort St.George,
Chennai-9.
- 2.The Deputy Commissioner of Labour,
Pollachi, Coimbatore District.
- 3.The Superintendent of Police,
Coimbatore District.
4. The Inspector of Police,
Pollachi Town Police Station,
Coimbatore District.
- 5.The Inspector of Police,
Mahalingapuram, Pollachi,
Coimbatore District.
- 6.Kovai Mavattam Param Thookkum Thozhilalar Sangam,
rep. by its president,
Neelankarai Veethi,
Pollachi, Coimbatore District.
- 7.Anna Param Thookkum Thozilalalar Sangam
rep. by its president,
Market Road,
Pollachi, Coimbatore District.

8.INTUC Param Thookkum Thozhilalar Sangam
rep. by its President
Market Road,
Pollachi, Coimbatore District.

9.Registered Param Thookkum Thozhilalalar Sangam,
rep. by its President,
Market Road,
Pollachi, Coimbatore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus forbearing the respondents 6 to 9 and their men, agents from in any manner interfering in the peaceful conduct of business in and around the city of Pollachi Town, Market place especially comes under the jurisdiction of respondents 3 to 5 with a consequential direction to the respondent 3 to 5 to safeguard our delivery boys while deliver the goods in the Pollachi City, Town and Market place from the respondents 6 to 9 who interfere in our activity by taking immediate action against them under law.

For Petitioner : Mr.D.Saravanan

For RR1 to 5 : Mr.D.Vairamoorthy
Special Government Pleader

R6 to 9 : No appearance

O R D E R

The petitioner is engaged in the business of distributing consumer non-durable products, for which purpose, they have recruited employees for unloading their materials from the godown for the purpose of delivering it to the retailers. While so, the members of the respondents 6 to 9 have been creating disturbance to the petitioner's employees during unloading activities, owing to which the petitioner has given a representation to the respondents 1 to 5 on 28.07.2017 seeking for protection to run the business in the peaceful manner. Since no action has been taken, the petitioner has filed this present Writ Petition seeking for similar prayer as made in his representation.

2.It is needless to point out that whenever a representation is made to the respondents/Police officials seeking for protection, the respondents are bound to dispose of the same in any one way or the other. Furthermore, it is seen that the unloading activities are being conducted by the petitioner's own employees. When the materials/goods sought to be moved from in and out of the godown belongs to the petitioner and the persons engaged to move these goods are the petitioner's employees, the respondents 6 to 9 have no

authority to prevent them or create any sort of disturbance in the godown. I am of the view that the respondent should extend protection to the petitioners' lawful activities by consider their representation seeking for protection.

3.It is brought to my notice that though the retailers of the petitioner are within the jurisdiction of 4th and 5th respondent, the petitioner has also given representation to the third respondent seeking for protection.

4.In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 28.07.2017, in the light of the above observations and pass orders within a period of two days from the date of receipt of copy of this order.

5. With the above observations, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rm
To

- 1.The Home Secretary,
Fort St.George, Chennai-9.
- 2.The Deputy Commissioner of Labour,
Pollachi, Coimbatore District.
- 3.The Superintendent of Police,
Coimbatore District.
4. The Inspector of Police,
Pollachi Town Police Station,
Coimbatore District.
- 5.The Inspector of Police,
Mahalingapuram, Pollachi,
Coimbatore District.

+1cc to Mr.D.Saravanan, Advocate SR.No.67301
+1cc to Government Pleader SR.No.67723

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and
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SV(CO)
GN(18/09/2017)

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