

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.44775 & 44776 of 2016
& W.M.P.Nos.38614 & 38615 of 2016 &
1374 of 2017 in W.P.No.44775 of 2016

Chennai Yetrumathi Valaga
Uzhiyargal Matrum Podhu Thozhilalar Sangam
Rep by its President
No.15 Kannan Street, Kadaperi,
Tambaram, Chennai - 600 045 Petitioner in both Wps

Vs.

- 1.Commissioner of Labour
DMS Compound
Teynampet, Chennai - 600 006
- 2.The Development Commissioner
Special Economic Zone
Madras Export Processing Zone
Tambaram Sanatorium
Chennai - 600 045
- 3.Assistant Commissioner of Police
Tambaram, Chennai - 45 Respondents in both WPs
- 4.Venture Lighting India Limited
Rep by its Managing Director
Plot No. A30 ,D5 Phase II Zone B
Madras Export Processing Zone
Tambaram, Chennai - 600 045.
... 4th Respondent in WP.44775/2016
- 4.PMI Engineering Exports Pvd. Ltd.,
Rep by its Managing Director
B-29, Phase II
Madras Export Processing Zone
Tambaram, Chennai - 600 045
... 4th Respondent in WP.44776/2016

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus forbearing the 2nd and 3rd respondents or any person from any

way interfering with the petitioner's peaceful demonstration inside 2nd respondent MEPZ premises and outside the factory of 4th respondent.

For Petitioner : Mr.V.Stalin

For Respondents : Mr.S.Rajeswaran,
Special Government Pleader
for R1 & R3 (in both the WPs)

Mr.G.Shanthi Meenakshi - for R2
(in both the WPs)

Mr.A.L.Somayaji, Senior Counsel
for Mr.K.V.Shanmuganathan - for R4
in W.P.No.44776/2016

Mr.S.V.Jayaraman, Senior Counsel
for Mr.K.V.Shanmuganathan - for R4
in W.P.No.44775/2016

COMMON ORDER

These writ petitions have been filed seeking Writ of mandamus forbearing the 2nd and 3rd respondents from any way interfering with the petitioner's peaceful demonstration inside 2nd respondent MEPZ premises and outside the factory of 4th respondent.

2. When the matter is taken up for hearing, learned Special Government Pleader has brought to the notice of the court the counter filed by the second respondent. A reading of the counter affidavit particularly, paragraph 16 of the same would make it clear that the demonstration carried on by the petitioner's men are obstructing the pathway and quite close to many other units in the zone.

3. In view of the averments made in the counter affidavit filed by the second respondent, as the petitioner is working inside the MEPZ Zone, if they wanted to agitate their grievance or to carry on any strike, they can do so, only after obtaining necessary permission or sanction from the necessary authorities concerned. It is also made clear that the same can be carried on only outside the MEPZ Zone without doing any hindrance to other units inside the said zone. It is further made clear that the authorities are at liberty to take any action against the protesters in accordance with law, if they violate any condition stipulated by the authorities concerned or indulge in any illegal act.

4.These writ petitions are disposed with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Labour
DMS Compound
Teynampet, Chennai - 600 006

2.The Development Commissioner
Special Economic Zone
Madras Export Processing Zone
Tambaram Sanatorium
Chennai - 600 045

3.The Assistant Commissioner of Police
Tambaram, Chennai - 45

+2cc's to Mr.G.Shanthi Meenakshi, Advocate, S.R.Nos.3826 & 3827

+2cc's to Mr.K.V.Shanmuganathan, Advocate, S.R.No.3798

+2cc's to M/s.Row and Reddy, Advocate, S.R.No.4016

+1cc to Mr.S.Ravindran, Advocate, S.R.No.3908

W.P.Nos.44775 & 44776 of 2016

UG(CO)
CA(24/01/2017)

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