

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32977 of 2018
and W.M.P.Nos.38237 & 38239 of 2018

M/s.Mirra and Mirra Industries Pvt., Ltd.,
No.117-120, Sidco Industrial Estate,
Vichur, Manali New Town,
Chennai-600 103.
Rep by its authorized signatory ... Petitioner

Vs.

- 1.The Secretary,
Mirra and Mirra Industries Pvt., Ltd., Employees Union,
No.117-120, Sidco Industrial Estate,
Vichur, Manali New Town, Chennai-600 103.
 - 2.The Inspector of Police,
M-7, Police Station,
Manali New Town, Chennai-600 103.
 - 3.The Assistant Commissioner of Police,
Ennore Range,
Ramakrishna Nagar,
Ennore, Chennai-600 056.
 - 4.The Deputy Commissioner of Labour,
Conciliation - 11,
Kuralagam, Chennai-600 108.
 - 5.The Commissioner of Police,
Chennai City, Chennai.
 - 6.The District Collector,
Thiruvellore District,
Thiruvellore.
 - 7.The Commissioner of Labour,
4th Floor, DMS Officer,
Teynampet, Chennai- 600 018.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Mandamus to directing the 2nd, 3rd and 5th respondents to initiate appropriate action to provide adequate police protection so as to ensure that the 1st respondent and its members are not preventing the entry and exit of the staff, management and security personnel, ingress and egress of vehicles carrying raw materials, finished goods, machineries to petitioner factory or holding any kind of demonstration, shouting slogans, conducting any kind of unlawful of activities within a radius of 500 meters from the factory.

For Petitioner : Mr.Rajasekaran

For R 2, 3 & 5 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent Police to give police protection to the petitioner Company.

2.The learned counsel for the petitioner would submit that as per the direction given by the Government of Tamil Nadu, the petitioner company was in the process of installing CCTV Cameras in the company premises, in order to ensure the safety and security of the employees. When the process was going on, certain employees belonging to the Union started objecting to the installation of the CCTV camera and had also attempted to attack the persons who were carrying out the job. The group of employees also abused the officials belonging to the company and also instigated other employees to go on a strike. This incident is said to have been taken place on 28.11.2018

3.The learned counsel for the petitioner would submit that there was an illegal strike for more than two days and the situation inside the company continues to be volatile. Even now, the petitioner company is not permitted to install the CCTV camera in the Company premises. Left with no other option, the petitioner gave a complaint to the respondent police on 28.11.2018 and CSR receipt was issued by the respondent Police. The Police had called the concerned parties for an enquiry and also advised the employees to co-operate with the management for the purpose of installing CCTV Camera. However, the group of employees belonging to the Union continue to stop the petitioner Company in installing the CCTV Camera.

4.The learned counsel for the petitioner would submit that the petitioner company has stopped the process of installing the

CCTV camera, fearing unnecessary violence and law and order problem that may be created in the Company premises. This Writ Petition has therefore been filed seeking for police protection.

5.The learned Government Advocate appearing on behalf of the respondent Police, on instruction would submit that the concerned workers resorted to an illegal strike only for two days and thereafter they have resumed for work. The learned Government Advocate further submitted that as on today, peace is prevailing and no problems have been created by the concerned workers. The learned Government Advocate further submitted that if in case any law and order problem is created in future, the respondent Police will take necessary action in accordance with law.

6.This Writ Petition is disposed of with a direction to the second and third respondent to ensure that no one indulges in violence in the Company premises belonging to the petitioner. If the petitioner Company wants to install CCTV Camera, pursuant to the directions issued by the State Government and in the interest of the employees, it cannot be prevented by any of the workers and if anyone has any grievance about it, they have to work out only in the manner known to law and no one can take law into their own hands. The petitioner company is at liberty to approach the respondent police as and when they face any resistance or any law and order problem inside the Company premises, while installing the CCTV camera. The second respondent police shall take appropriate action in accordance with law and if the situation so warrants may also provide police protection to the petitioner Company. No costs. Consequently, connected Miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS VI)

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सत्यमेव जयते

Sub Assistant Registrar

rri/lpp

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To

1.The Inspector of Police,
M-7, Police Station,
Manali New Town, Chennai-600 103.

2.The Assistant Commissioner of Police,
Ennore Range,
Ramakrishna Nagar,
Ennore, Chennai-600 056.

3.The Deputy Commissioner of Labour,
Conciliation - 11,
Kuralagam, Chennai-600 108.

4.The Commissioner of Police,
Chennai City, Chennai.

5.The District Collector,
Thiruvellore District,
Thiruvellore.

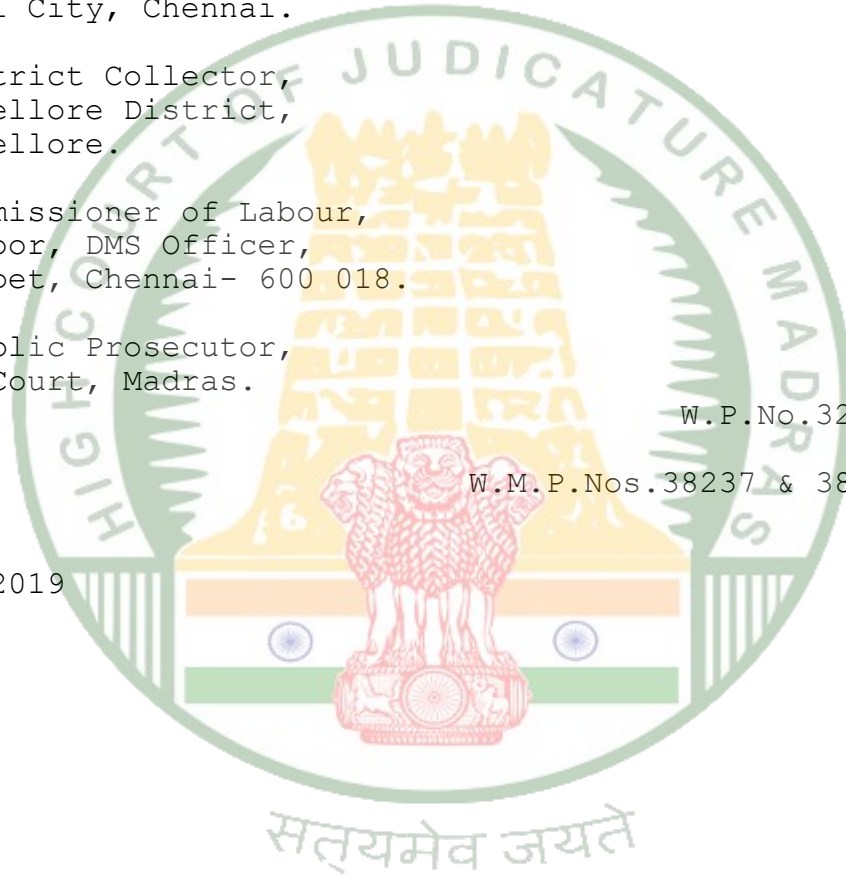
6.The Commissioner of Labour,
4th Floor, DMS Officer,
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7. The Public Prosecutor,
High Court, Madras.

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