

W.M.P.No.12013 of 2019
in
W.P.No.11789 of 2019

G.K.ILANTHIRAIYAN, J.

It is seen from the records that I.D.No.13 of 2014 is pending for adjudication before the Labour Court-cum-Industrial Tribunal at Puducherry. The strike by the workmen belonging to the 5th respondent Union is also illegal in view of Section 23 of the Industrial Disputes Act, 1947. The holding of stay-in-strike and demonstrations inside the office premises by the group of workmen amounts to a clear case of criminal trespass and they are liable to be evicted. The employees have no right to hold the stay in strike or demonstrations inside the premises, whatever may be the grievances. They have to take recourse only to the remedies available to them under law. The mere fact that the workmen have certain rights under the Industrial Disputes Act, 1947, does not confer any immunity for indulging in actions on premises belonging to the petitioner which are contrary to law and would be an offence punishable under the Penal Code.

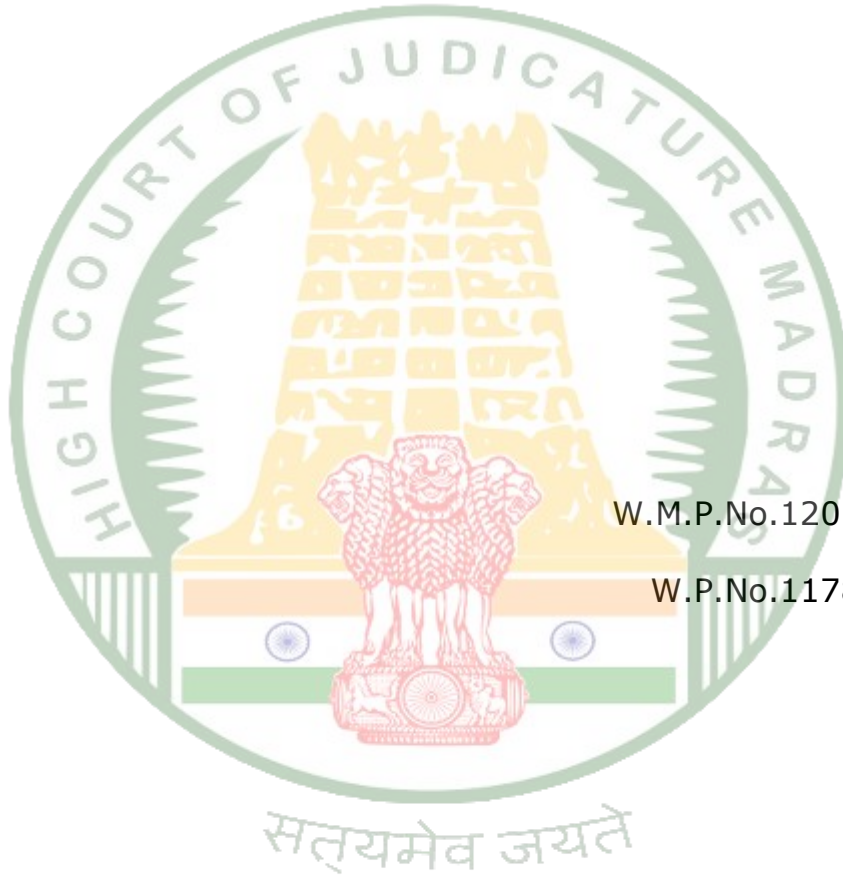
2.Hence, the 3rd respondent police is hereby directed to provide police protection and prevent the employees and their family members from holding Dharnas, stay-in-strike inside the factory premises of the petitioner and ensure movement of Workmen, staff and officers and ingress and egress of vehicles carrying finished goods and raw materials at the factory premises of the petitioner at TTN Complex, No.12, K.P.Natham Road, Thiruvandarkoil, Puducherry 605 102.

16.04.2019

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