

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.04.2019
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.25008 of 2017
and W.M.P.Nos.26392 & 26393 of 2017

Hindustan Engineering Training Centre
represented by its Registrar,
No.40, G.S.T.Road,
St. Thomas Mount,
Chennai - 600 016.

... Petitioner

Vs.

1. The Commissioner of Police
Periyar E.V.R. Road,
Chennai - 600 007
2. The Joint Commissioner of Police,
South, Chennai 600 016.
3. The Superintendent of Police,
Kanchipuram.
4. Industrial Estate's & General Worker Union,
represented by its Secretary,
No.11, Lawyer Jagannathan Street,
Guindy, Chennai - 600 032.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent 1 to 3 to forbear the fourth respondent from allowing or indulging in any activities which may in any manner disturb the smooth and peaceful functioning of the educational institutions of the petitioner during the pendency of the conciliation proceedings before the Joint Commissioner of Labour, Chennai.

For Petitioner : Mr.K.Doraisamy, Senior Counsel
For Muthumani Doraisami

For Respondents

For R1 to R3

: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents 1 to 3 to forbear the fourth respondent from allowing or indulging in any activities which may in any manner disturb the smooth and peaceful functioning of the educational institutions of the petitioner during the pendency of the conciliation proceedings before the Joint Commissioner of Labour, Chennai.

2. Heard the learned counsel for appearing the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3. It is seen that the petitioner is the Hindustan Engineering Training Centre registered under the Societies Registration Act and providing education to the students. The Fourth respondent Industrial Estate's and General Worker Union demanded several request to be implemented with effect from 01.04.2017. They also issued strike notice dated 31.08.2017 intimating that they would strike work from 15.09.2017. In the mean time, there was a conciliation process between the management and the trade union. While pending the conciliation proceedings, the fourth respondent was trying to indulge in coercive activities, thereby disturbing the smooth functioning of the petitioner-institutions.

4. Considering the above facts and circumstances, this Court by an order dated 19.09.2017, restrained the fourth respondent from indulging any illegal strikes or other activities within 200 meters from the petitioner-institution and further prevented the drivers engaged to transport the students, teachers and staff of the petitioner-institution. The interim order is still in force. Now the learned counsel appearing for the both parties submitted that the conciliation proceedings are over between the petitioner's management and the fourth respondent and now the petitioner-institution is running smoothly without any disturbance whatsoever by the fourth respondent.

5. Recording the same, the writ petition is closed. If the fourth respondent indulges in any coercive activities disturbing the smooth functioning of the petitioner-institution, it is needless to say that the petitioner is at liberty to seek necessary protection from the concerned jurisdiction police

officers and on receipt of such request, the concerned jurisdiction police shall consider the same and pass orders in merits and accordance with law. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Commissioner of Police
Periyar E.V.R. Road,
Chennai - 600 007
 2. The Joint Commissioner of Police,
South, Chennai 600 016.
 3. The Superintendent of Police,
Kanchipuram.
 4. The Secretary,
Industrial Estate's & General Worker Union,
No.11, Lawyer Jagannathan Street,
Guindy, Chennai - 600 032.
- +1cc to Mr.Muthumani Doraisami, Advocate, S.R.No.33974

W.P.No.25008 of 2017
and W.M.P.Nos.26392 &
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SS(CO)
SSM(22/05/2019)

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