

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19323 of 2017

and

W.M.P.Nos.20835 & 20836 of 2017

Covai Maavatta Puthiya Jananayaga
Thozhilalar Munnani (Reg No.1241),
Sri Ranganathar Industries Branch,
Rep by its Secretary,
K.R.R.Complex, Thadagam Road,
KNG.Puthur,
Coimbatore - 641 025. Petitioner

Vs.

- 1.The Inspector of Police,
Thudiyalur Police Station,
Thudiyalur,
Coimbatore - 641 034.
- 2.The Assistant Commissioner of Labour (Conciliation)-3,
Dr.Balasundaram Road,
Coimbatore - 641 018.
- 3.The Management,
Sri Ranganathar Industries (P) Limited,
Edayarpalayam,
Coimbatore - 641 025. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the 1st respondent to give police protection for the 3rd respondent management for engaging outsiders in the place of permanent workmen and ensure that the 3rd respondent management should not be removed machineries, raw materials, castings from the 3rd respondent factory without getting prior permission from the 2nd respondent under section 33(1) of the Industrial Disputes Act, 1947 and further direct the 2nd respondent to prosecute & submit the Award to the appropriate government under section 33A (b) of the Industrial Disputes Act, 1947.

For Petitioner : Mr.S.Parthasarathi

For Respondents

For R1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

For R2 & R3 : No appearance

O R D E R

The writ petition has been filed to forbear the 1st respondent to give police protection for the 3rd respondent management for engaging outsiders in the place of permanent workmen and ensure that the 3rd respondent management should not be removed machineries, raw materials, castings from the 3rd respondent factory without getting prior permission from the 2nd respondent under section 33(1) of the Industrial Disputes Act, 1947 and further direct the 2nd respondent to prosecute & submit the Award to the appropriate government under section 33A (b) of the Industrial Disputes Act, 1947.

2. The petitioner seeks police protection for forbearing the third respondent management from engaging outsiders in the place of permanent workmen. Now, almost three years have been lapsed and hence, due to the lapse of period, the prayer sought for by the petitioner cannot be granted now. However, the petitioner is at liberty to file a fresh petition, on fresh cause of action, if so advised.

3. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jas/rts

To

1.The Inspector of Police,
Thudiyalur Police Station,
Thudiyalur,
Coimbatore - 641 034.

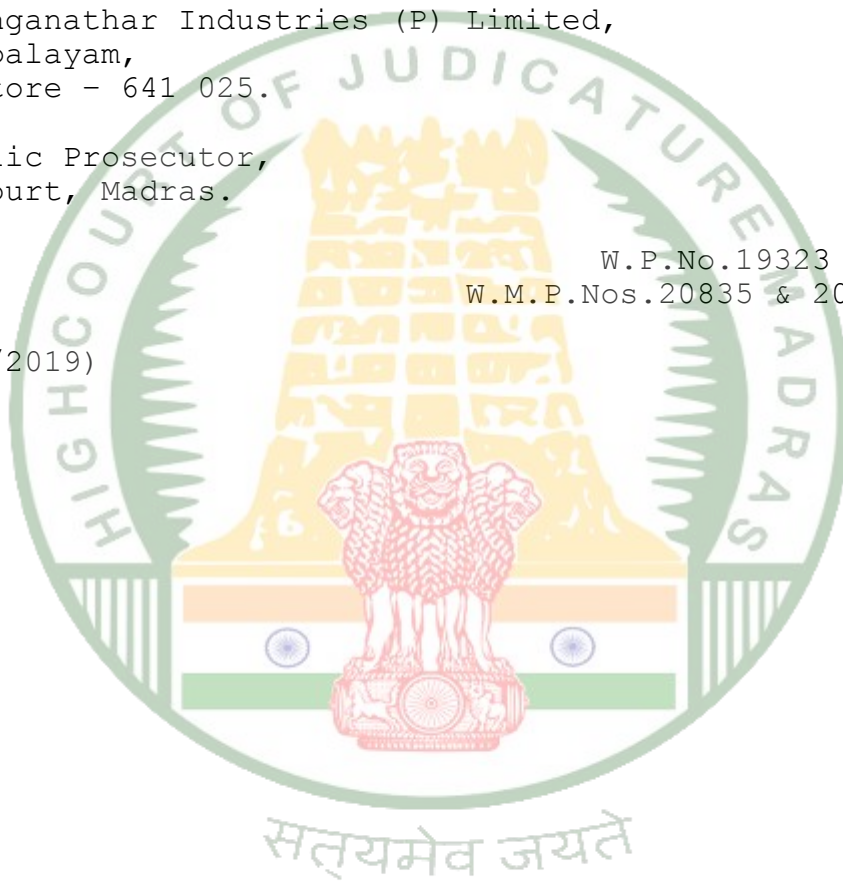
2.The Assistant Commissioner of Labour (Conciliation),
Dr.Balasundaram Road,
Coimbatore - 641 018.

3.The Management,
Sri Ranganathar Industries (P) Limited,
Edayarpalayam,
Coimbatore - 641 025.

4.The Public Prosecutor,
High Court, Madras.

W.P.No.19323 of 2017 and
W.M.P.Nos.20835 & 20836 of 2017

VSN-II (CO)
SSM(25/06/2019)



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