

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8845 of 2020

and

W.M.P.Nos.10745 & 10746 of 2020

and

W.M.P.No.12112 of 2020

1.M/s.HindusthanNational Glass & Industries Ltd.,
Formerly M/s. ACE Glass Containers Ltd.,
Duly Represented by its General Manager Mr.K.Saravanan,
ThondamanathamVillage, Villianur,
Sedarapet Main Road,
Puducherry-605 502.

Vs.

... Petitioner

1. The Superintendent of Police,
Valuthavor Road, Mettupalayam,
Puducherry-605 009

2. The Inspector of Police,
Sedarapet Police Station,
Mailam Main Road,
Sedarapet, Puducherry-605111.

3. The Labour Officer (Conciliation), Puducherry,
Office of the Labour Officer Conciliation,
No.15,First Floor, Nehru Nagar,
Puducherry-605 001

4. Hindusthan National Glass
Employees Welfare Union-INTUC,
Regn. No.1863/RTU/2020.
Affiliated to Tamilnadu INTUC,
Sedarapet Road,
Thondamanatham & Post,
puducherry-605 502

5. HNG Industries Thozhilar Nala Sangam,
(CITU) RTU Reg. No.1802/2016, Thondamanatham,
42, Cuddalore Road, Bharathi Millthitu, Mudaliarpet,
Puducherry-605 004.

... Respondents

Prayer: Writ Petition filed under section 226 of constitution of India, Writ of Mandamus directing the first and second respondent to provide adequate police protection to the petitioner's company in order to protect the property and life of the employees of the petitioner's company and by preventing the members of the fourth and fifth respondent their members, agents representatives or any other person acting at their behest from in any way preventing the permanent workman Loyal staff and Officers, Directors, Contract workman, Advisors, Visitors of the petitioner by in any way interfering with the day to day production and maintenance activities of the petitioner's factory and also preventing the movement of finished goods of the petitioner by staging any form of protests by hoisting flags, by gheraoing, conducting any illegal strikes including sit in strike inside the factory premises and assembling illegally in any form, within 500 meters in an around the petitioner's factory premises viz., M/s Hinduthan National Glass & Industries Ltd Formerly M/s.ACE Glass containers Ltd located at Thondamanatham village, Villianur, Sedarapet Main road, Puducherry-605 502.

For Petitioner : Mr.N.L.Rajah Senior Counsel

For B.F.S.Legal

For R1 to R3 : Mr.V.Balamurugane

Additional Public Prosecutor Puducherry

For R4 : Mr.G.Jermemiah

For R5 : Mr.A.P.Sathyamurthy

O R D E R

This petition has been filed for a direction directing the first and second respondents to provide adequate police protection to the petitioner's company in order to protect the property and life of the employees of the petitioner's company by preventing the members of the fourth and fifth respondents, their members, agents representatives or any other person acting at their behest from in any way preventing the permanent workman Loyal staff and Officers, Directors, Contract workman, Advisors, Visitors of the petitioner by in any way interfering with the day to day production and maintenance activities of the petitioner's factory and also preventing the movement of finished goods of the petitioner by staging any form of protests by hoisting flags, by gheraoing, conducting any illegal strikes including sit in strike inside the factory premises and assembling illegally in any form, within 500 meters in an around the petitioner's factory premises viz., M/s Hinduthan National Glass & Industries Ltd Formerly M/s.ACE Glass containers Ltd located at Thondamanatham village, Villianur, Sedarapet Main

road, Puducherry-605 502.

2.The learned Senior counsel for the petitioner and learned counsel for the fourth and fifth respondents represented that there is a possibility for settlement between the petitioner and fourth and fifth respondents and they are ready to go before the conciliation Officer namely the Additional Secretary (Labour), Puducherry.

3. Heard Mr.N.R.Rajah, learned Senior Counsel appearing for the petitioner, Mr.V.Balamurugane Additional Public Prosecutor Puducherry appearing for the respondents 1 to 3, Mr.G.Jermemiah learned counsel appearing for the 4th respondent and Mr.A.P.Sathyamurthy appearing for the 5th respondent.

4.Considering the above submissions made by counsel on record, the petitioner and the fourth and fifth respondents are directed to approach for conciliation. Mr.E.Vallavan, Additional Secretary of Labour, Puducherry, is directed to conduct enquiry and explore the possibility of settlement between the parties as expeditiously as possible. However, in the meanwhile the interim injunction against the fourth and fifth respondents within 200 meters in an around the petitioner's factory premises viz., M/s Hinduthan National Glass & Industries Ltd Formerly M/s.ACE Glass containers Ltd located at Thondamanatham village, Villianur, Sedarapet Main road, Puducherry-605 502 shall continue for a period of eight weeks from the date on which the order copy made ready.

5.With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

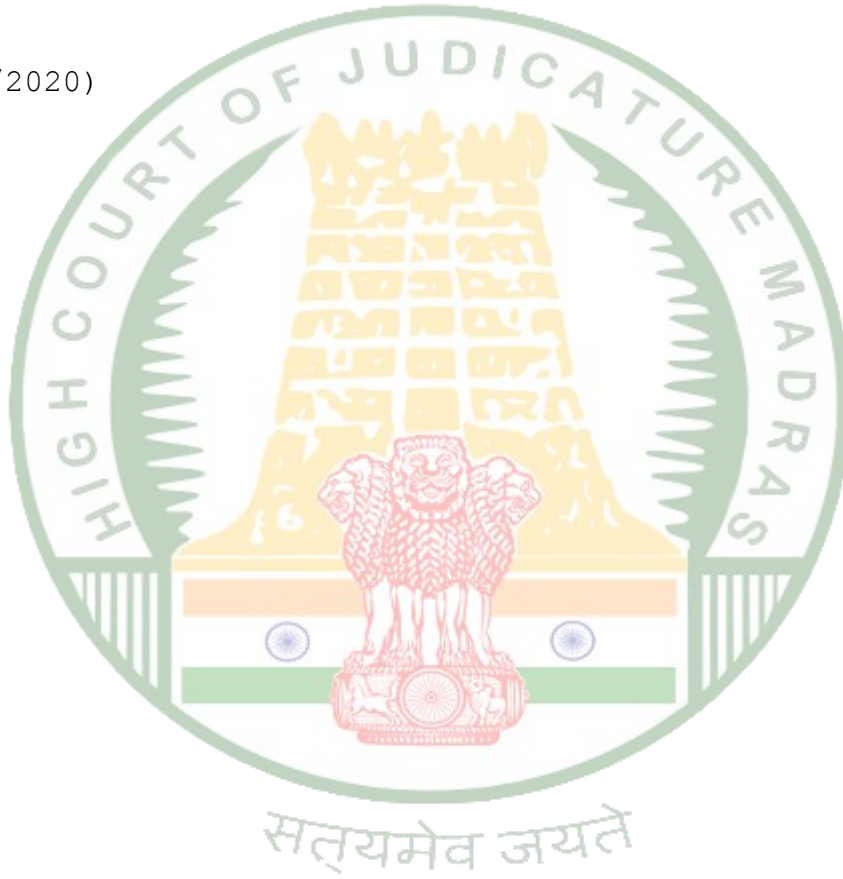
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4. The Public Prosecutor, Pondicherry
High Court, Madras

+1cc to M/s.BFS legal in SR.26672

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VSN-II (CO)
RV (08/09/2020)



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