



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

WEB COPY

W.P (MD) No.15982 of 2020

and

W.M.P (MD) .No.13391 of 2020

M/s.Platinum Textiles,
represented by its Authorized Signatory,
K.Santhosh Kumar Sinha,
2/234, C.K.Mangalam, Thiruvadanai,
Ramanathapuar District - 623 402. .. Petitioner

Versus

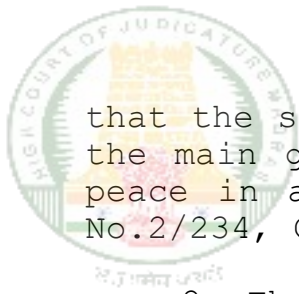
- 1.The Inspector of Police,
Thiruvadanai Police Station,
Thiruvadanai,
Ramanathapuram District. 623 402.
- 2.All Industrial Joint Action Committee,
Represented by its Secretary,
C.K.Mangalam, Thiruvadanai,
Ramanathapuram District 623 402. .. Respondents

Prayer: Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to provide adequate police protection to the petitioner to enable the willing employees workman contract workman staff officers and other managerial personnel and customers to enter and exit the factory premises send and receive the materials and ensure that the second respondent and its members are 500 meters away from the main gate and factory premises and maintain law and order peace in and around the petitioner's factory premises situated at No.2/234, C.K.Mangalam, Thiruvadanai, Ramanathapuram District.

For Petitioner : Mr.M.N.Ramkumar
For 1st Respondent : Mr.R.Srinivasan,
Government Advocate, (Cr1.Sdie)

O R D E R

This Writ Petition has been filed to direct the first respondent to provide adequate police protection to the petitioner to enable the willing workmen contract workmen, administrative staff officers and other managerial personnel and customers to enter and exit the factory premises send and receive the materials and ensure



that the second respondent and its members are 500 meters away from the main gate and factory premises and maintain law and order and peace in and around the petitioner's factory premises situated at No.2/234, C.K.Mangalam, Thiruvadanai, Ramanathapuram District.

2. The learned counsel for the petitioner would state that the petitioner is a small size spinning mill situated in the rural area and doing spinning and yarn activities. The 2nd respondent filed a charter of demands dated 03.02.2020 before the Assistant Commissioner of Labour, Ramanathapuram and it has been numbered as NKA.No.29/2020 and hearings are going on. He would further state that due to lockdown, supply of cotton was totally stopped and thus there was a very steep decline in the work of the petitioner's factory. While so, on 09.09.2020, the Secretary of the 2nd respondent/Union openly declared that they will resort to direct action by obstructing the vehicle and movement of the loyal workers to the petitioner's factory and on the same day, they started to obstruct. Therefore, the petitioner submitted a petition to the 1st respondent on 13.09.2020 to provide police protection to the factory and the workmen who are willing to come for work and prevent the 2nd respondent or its members to hold any demonstration or agitation within the radius of 500 meters and the 1st respondent/Police has assigned CSR.No.269/2020 for the above petition. The petitioner has also made a representation dated 17.10.2020 for giving police protection to their factory. Since no action has been taken, the petitioner has filed the present writ petition.

3.The learned Government Advocate (Criminal Side) appearing for the first respondent, on instructions, would submit that the first respondent police will take action on the complaint of the petitioner, within a time frame to be fixed by this Court.

4.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Criminal Side) appearing for the first respondent.

5.Since the Court is not going to pass any adverse order, notice to the second respondent is not necessary.

6.Considering the facts and circumstances of the case and without going into the merits of this case, the first respondent is directed to dispose of the representation of the petitioner, dated 17.10.2020 and give police protection, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that they can work out their rights in the manner known to law.



7.With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Thiruvadanai Police Station,
Thiruvadanai,
Ramanathapuram District. 623 402.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

W.P(MD)No.15982 of 2020 and
W.M.P(MD).No.13391 of 2020
11.11.2020

PU(CO)
KB(22.12.2020) 3P 3C