



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.16199 of 2020
and
W.M.P (MD)No.13551 of 2020

Tata Coffee Limited,
through its Site Head,
Satyakam Senapati,
Jayamangalam,
Periyakulam Taluk,
Theni District.

... Petitioner

Vs.

1.The Superintendent of Police
Theni District
Theni.

2.The Inspector of Police
Jayamangalam Police Station
Theni District.

3.Joint Commissioner of labour,
Office of the Joint Commissioner of Labour,
District Collectorate Complex,
Dindigul.

4.Tholkappian
5.Chellapandian
6.Muralikannan
7.Nagarajan
8.Vijayakumar
9.Chandrasekaran
10.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents 1 and 2 to provide protection to the petitioner's factory premises M/s.Tata Coffee Limited, located at Jayamangalam, Periyakulam Sub Division, Theni District it's vehicular movement and non absentee employees from 16.11.2020 onwards till the strike by R4-R10's union comes to an end based on the petitioner's representation dated 04.11.2020.



For Petitioner : Mr.T.Kumar
For Respondents 1 & 2 : Mr.V.Neelakandan
Additional Public Prosecuor

O R D E R

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This Writ Petition has been filed directing the respondents 1 and 2 to provide protection to the petitioner's factory premises M/s.Tata Coffee Limited, located at Jayamangalam, Periyakulam Sub Division, Theni District it's vehicular movement and non absentee employees from 16.11.2020 onwards till the strike by R4-R10's union comes to an end based on the petitioner's representation dated 04.11.2020.

2. According to the petitioner, he is the site head of Tata Coffee Limited. There are 650 employees have been working in the unit. Out of 650 employees 116 employees have been formed union in the name which has no recognition and also they have issued strike notice as the strike is to be commenced from 16.11.2020 onwards. Our premises is spread over 110 acres and the factory is built in 30 acres. It consists of very important departments more particularly the maintenance of the water installations from Vaigai river bed, RO plant, Ammonia Refrigeration plant which is to be maintained constantly at 50* C, Boilers and above all segments are interconnected and if at all any mischief is committed in any of the component the entire set up will got collaterally damaged. If any untoward thing is caused to the freezing plant there is high risk of leakage of ammonia gas which is very hazardous and it will cause cascading effect in an around the factory and to protect the life, limb of the employees and installations of the company. The petitioner has sent a representation regarding the apprehension of illegal activities by the respondents 4 to 10 have approached the second respondent on 04.11.2020 and also sent representation through e-mail to the first respondent.

3.The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner, dated 04.11.2020 will be considered by the second respondent police within a period of two weeks.

4.Considering the submissions made on either side, the second respondent is directed to dispose of the representation of the petitioner, dated 04.11.2020, within a period of two weeks from the date of receipt of a copy of this order on merits and in accordance with law and communicate the same to the petitioner. If necessary, the respondents 1 and 2 are directed to give police protection to the petitioner. If it is found that police protection is not necessary, based on the petitioner's representation, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.



5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 Superintendent of Police
Theni District
Theni.
2. The Inspector of Police
Jayamangalam Police Station
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P (MD) No.16199 of 2020
11.11.2020

VB (26.11.2020) 3P 4C