

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.10735 of 2021

M/s.Stellar Innovative Transportation Solutions Pvt., Ltd.,
No.2/199, Kundrathur Main Road, Sikkarayapuram,
Kundrathur, Chennai-600 069.

Rep. by its Loss Prevention Manager (South) and
Authorized Signatory Mr.Rajshekhar Gowder.

...Petitioner

Versus

1.The Superintendent of Police,
Kanchipuram District.

2.The Deputy Superintendent of Police,
Kanchipuram District.

3.The Inspector of Police,
T-14, Mangadu Police Station,
Chennai-600 122.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to pass an order or direction in the nature of writ, more particularly a Writ of Mandamus, directing the respondents Police herein, to give police protection to the petitioner company herein, by considering the representation/complaint dated 22.03.2021, which culminated in issuing the CSR No.524/2021 dated 25.03.2021 by the third respondent police.

For Petitioner : Mr.S.Baskaran

For Respondents: Mr.C.Raghavan,
Government Advocate(Crl.Side)

ORDER

This Writ Petition has been filed to give police protection to the petitioner company by considering the representation/complaint dated 22.03.2021, which culminated in issuing the C.S.R.No.524/2021, dated 25.03.2021 by the 3rd respondent police.

2.The petitioner, who is the Regional Operational Manager of M/s.Stellar Innovative Transportation Solutions Private Limited seeking Police Protection to despatch the goods to the concerned persons as per the invoices. The Labour Union in the name of General Employees Union representing by one Radhakrishnan, is now creating trouble not permitting the petitioner company to move the goods, which is already unloaded and available in the godown of the company. It is reported that when there is no employer-employee relationship that exists in the matter, the question of accepting and heeding to the illegal demand raised by such labourers along with association members does not arise. Therefore, the petitioner had lodged a complaint to the 3rd respondent Police, wherein, the petitioner mentioned the agreement between the Chennai Goods Transport Association and the Lorry Workers Board. Therefore, the Lorry Workers Board would approach the Labour Commissioner to resolve the issues. The petitioner had filed a petition before the Deputy Commissioner of Labour, in which the General Employees Union had filed the objection on 19.03.2021. Thereafter, it is not known what is the stage of the enquiry.

3.The learned counsel for the petitioner submitted that the petitioner has appeared before the Labour Commissioner and gave explanation and also submitted the document available. The General Employees Union does not have license to obstruct the movement of the goods of the petitioner company. He further submitted that the petitioner is ready to pay necessary charges to the Police for giving protection.

4.In view of the above, the petitioner is directed to make a representation to the 3rd respondent police in this regard and for movement of the vehicle. This Court directs the 3rd respondent Police to consider the representation of the petitioner and ensure that there is a free movement of goods from the petitioner godown.

5.With the aforesaid directions, this Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Kanchipuram District.

2.The Deputy Superintendent of Police,
Kanchipuram District.

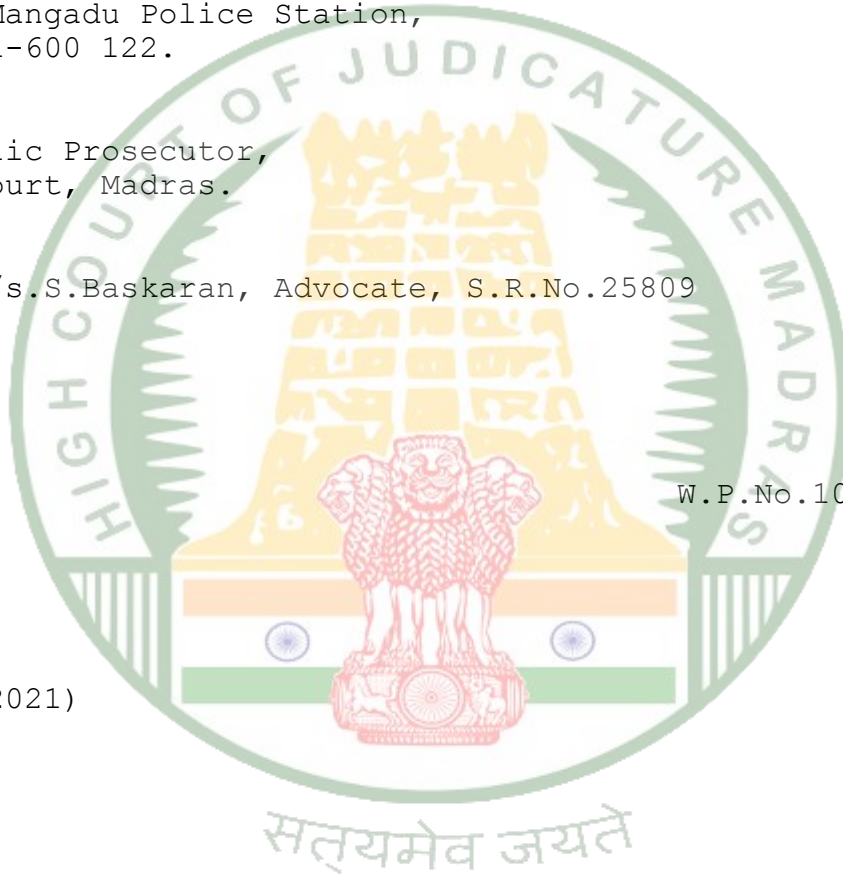
3.The Inspector of Police,
T-14, Mangadu Police Station,
Chennai-600 122.

4.The Public Prosecutor,
High Court, Madras.

+2cc to M/s.S.Baskaran, Advocate, S.R.No.25809

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CP(CO)
RN(12/05/2021)



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