



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24531 of 2019

and

W.M.P.No.24224 and 24229 of 2019

M/s Motherson Automotive Technologies & Engineering
(A Division of Motherson Sumi Systemts Limited)
Chengalpattu- Sriperumbudur Road, Pondur Village & Post,
Near Sriperumbudur, Kancheepuram (District) - 602 105,
Represented by its Deputy General Manager MT. Guruprasad M.K
...Petitioner

Vs.

- 1.The Inspector of Police,
The Station House Officer,
Sriperumbudur Police Station,
Sriperumbudur,
Kancheepuram District - 602 105.
- 2.The Assistant Superintendent of Police,
Chengalpattu - Sriperumbudur Road,
Sriperumbudur 602 105.
- 3.Superintendent of Police,
Thaiyar Kullam, Kanchipuram, Tamil Nadu
Pin - 631 501.
- 4.Chengal Anna Mavatta Jananayaga Thozhilalar Sangam,
Reg.No. 1062/Cpt.(affiliated to AICCTU)
No.3/254-B/ Jeeva Street,
Vandalur, Chennai - 600 048.
Represented by its Secretary. ...Respondents

Prayer:Petition filed under article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 3 to provide appropriate and adequate police protection to ensure smooth ingress and egress and movement of the petitioner's employees, workers, suppliers, visitors, customers, raw materials and finished products to and from the petitioner's factory premises in situated at Chengalpattu, Sriperumbudur Road, Pondur Village & Post, Near Sriperumbudur, Kancheepuram District and to ensure that no strike/agitation/demonstration by the 4th respondent union or any person acting at its behest including employees of the



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petitioner from indulging in any manner of strike/agitation/demonstration at the gate of the said factory and within a radius of 500 metres from the petitioner's factory and gate that results in any manner of preventing ingress and egress of such persons who decide the enter or exit the said factory.

For Petitioner : Mr.Sanjay Mohan

For Respondents 1 to 3 : Mr.A.Gopinath
Government Advocate (Crl.Side)

O R D E R

(This case has been heard through video conference)

This petition is filed the seeking direction to the respondents 1 to 3 to provide appropriate and adequate police protection to ensure smooth ingress and egress and movement of the petitioner's employees, workers, suppliers, visitors, customers, raw materials and finished products to and from the petitioner's factory premises in situated at Chengalpattu, Sriperumbudur Road, Pondur Village & Post, Near Sriperumbudur, Kancheepuram District and to ensure that no strike/agitation/demonstration by the respondent union or any person acting at its behest including employees of the petitioner from indulging in any manner of strike/agitation/demonstration at the gate of the end factory and within a radius of 500 metres from the petitioner's factory and gate that results in any manner of preventing ingress and egress of such persons who decide the enter or exit the said factory.

2. The case of the petitioner is that he is running a factory near Sriperumbudur, Kancheepuram District engaged in manufacturing of plastic injection and blow moulded plastic parts for various automobile manufacture ring. It is alleged that the workers of the said factory started assembling adjoining to security gate and parking area rather than reporting to their work place and refused to leave the factory premises. The petitioners continued the said act for several days, which caused ingress and egress to the petitioner's factory and the petitioner/Company sustained huge loss. Therefore, the petitioner./company filed a representation seeking for police protection to the company premises but no action has been taken or any order passed. Therefore the present petition is filed seeking a direction to the respondent police to consider the petitioner's representation dated 31.07.2019.



3. The learned counsel for the petitioner submits that inspite of filing of representation to the respondents/police they have not taken any action, which led to filing of the present petition and prays this Court may issue a direction to the respondents/police to consider the petitioner's representation dated 08.07.2019. He further submits that strike is permissible under the Industrial Disputes Act and even if the workers engage in strike, it should not affect the ingress and egress to the other workers and the products.

4. Mr.A.Gopinath, learned Government Advocate appearing for the respondents submits that the representation of the petitioner was considered and police protection was given to the petitioner on 19.11.2019. Thereafter it seems, there is no industrial dispute in the said compnay

5. On perusal of the records it is seen that this Court had already given interim direction to the 1st respondent police to give protection to the petitioner's company to ensure that there is free ingress and egress of materials and vehicles and no law and order problem is created near the factory premises of the petitioner. If any strike/ agitation is conducted by the union, the same shall be permitted 200 metres away from the factory premises of the petitioner.

6. In view of the above, the interim order already granted by this Court is extended till the industrial dispute in the said company is resolved.

7. With the above directions, this Writ petition is disposed of. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To.

1. The Inspector of Police,
The Station House Officer,
Sriperumbudur Police Station,
Sriperumbudur,
Kancheepuram District - 602 105.



2. The Assistant Superintendent of Police,
Chengalpattu
Sriperumbudur Road,
Sriperumbudur 602 105.

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3. Superintendent of Police,
Thaiyar Kullam, Kanchipuram, Tamil Nadu
Pin - 631 501.
4. The Secretary,
Chengal Anna Mavatta Jananayaga Thozhilalar Sangam,
Reg.No. 1062/Cpt.(affiliated to AICCTU)
No.3/254-B/ Jeeva Street,
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NSK 13/09/2021