



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.11.2021**

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19655 of 2021
and
W.M.P(MD)No.16328 of 2021

M.M.FORGINGS LIMITED,

A company duly registered under the Companies Act-1956

Represented by its Unit Head Mr.S.Basker

Plant-1 Singampunari-630 502

Sivagangai District.

... Petitioner

Vs.

1.State represented by
The Inspector of Police,
Singampunari Police Station,
Sivagangai District-630 502

2.R.Anand

3.L.Krishnan

4.M.Suresh

5. The Assistant Labour Commissioner,
O/o.Assistant labour commissioner,
Ramanathapuram Post,
Ramanathapuram District.

(R5 is impleaded vide court order dated 16.11.2021
in WMP(MD).17110 of 2021 in WP(MD).19655 of 2021

... Respondents

Prayer: Writ Petition is filed under Article 226 Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 25.10.2021, to provide adequate Police Protection to the petitioner to enable willing workmen, contract workmen, staff, officials and other managerial personal and customers to enter and exit the factory premises, to enable to its customers, to receive materials including raw materials for process work inside the petitioner's factory premises (ingress and egress of men and materials) and ensure the striking workmen are 200 meters away from the main gate of the factory premises and to maintain law and order and peace in and around petitioner's factory premises in Singampunari.



For Petitioner : Mr.V.Vijayakumar
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1

O R D E R

The petitioner is a registered Company having its manufacturing unit at Singampunari in Sivagangai District. The petitioner alleges that their normal functioning is being interfered with by the private respondents. Though the private respondents have been served and their names are also printed in the cause list, they have not chosen to enter the appearance before this Court.

2. The learned Counsel for the petitioner draws my attention to the order dated 06.12.2018 made in W.P.No.23427 of 2018. The said case also involved a dispute between a manufacturing Company and a Labour Union. The relief sought in the said case is also similar to the one sought in this case. The learned Judge after considering the entire legal position exhaustively disposed of the writ petition with the following directions:-

"a) The 1st respondent Police shall provide Police Protection to the factory premises of the petitioner Company to ensure that there is free ingress and egress of men and materials.

b) The 1st respondent shall ensure that no law and order problem is created near the factory premises and normalcy is maintained.

c) The 2nd respondent can conduct the demonstrations/strike in 200 mts away from the petitioner's Factory premises.

d) It is open to the parties to agitate their respective rights before the appropriate forum/Court and this order will not have any bearing on the respective rights of parties."

3. Respectfully following the aforesaid decision and taking note of the facts and circumstances projected by the writ petitioner before me, the present Writ Petition is allowed on the same terms. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

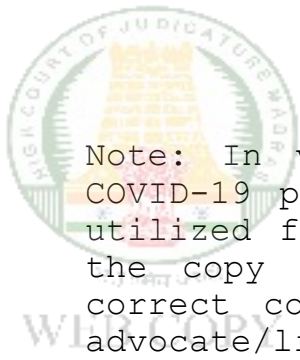
Assistant Registrar(Records)

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/ /2021

Sub Assistant Registrar(CS)

mga/csm



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,
Singampunari Police Station,
Sivagangai District-630 502
- 2.The Assistant Labour Commissioner,
O/o.Assistant labour commissioner,
Ramanathapuram Post,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P (MD) No.19655 of 2021

and

W.M.P (MD) No.16328 of 2021

23.11.2021

PS (CO)

TR/SKN(25.11.2021) 3P 4C