

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.NO.4425 OF 2022

AND

W.M.P.NO.4595 OF 2022

M.M.Forgings Limited,
Represented by Assistant General Manager,
Mr.K.Venkataraman,
S.V.K.Towers 8th Floor,
A25, Industrial Estate,
Guindy, Chennai - 600 032. ... Petitioner

.Vs.

The State Represented by
The Inspector of Police (L & O),
J3, Guindy Policy Station,
Chennai - 600 032. ... Respondent

PRAYER:-

Writ Petition filed under Section 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondent to consider the Petitioner's representation dated 10.02.2022 to provide adequate police protection to the Petitioner to enable its staff, officials and other managerial personal and customers to enter and exit the office premises to enable to its customers, to receive materials including raw materials for process work inside the petitioner's office premises (ingress and egress of men and materials) and ensure the striking workmen are 200 meters away from the Corporate Office premises and to maintain law and order and peace in and around Petitioner's Corporate office premises at Guindy.

For Petitioner : Mr.V.Vijayakumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Writ Petition has been filed to direct the respondent to consider the Petitioner's representation dated 10.02.2022 to provide adequate police protection to the Petitioner to enable its staff, officials and other managerial personal and customers to enter and exit the office premises to enable to its customers, to receive materials including raw materials for process work inside the petitioner's office premises (ingress and egress of men and materials) and ensure the striking workmen are 200 meters away from the Corporate Office premises and to maintain law and order and peace in and around Petitioner's Corporate office premises at Guindy.

2. The contention of the petitioner is that the petitioner company is indulging in the manufacturing of automobile components, having its registered corporate office at SVK Towers 8th Floor, A25, Industrial Estate, Guindy, Chennai 600032. One of its manufacturing plant viz. Unit I is functioning at Singampunari Village, Sivagangai District. During the month of January 2022 and February 2022, some of the transferred employees have not accepted their transfers and indulged in demonstration of illegal strike. When the Petitioner lodged a complaint seeking police protection, the police officials were reluctant to interfere in the issue as they wrongly considered that it was Labour-Management issue. Following the Unit I, few workers of the Petitioner's another plant viz., Unit II, which is functioning at Viralimalai, Pudukottai District also indulged in demonstration of illegal strike under the banner of Union. No worker's Union is recognised under the Industrial Disputes Act in the Petitioner company.

3. The learned counsel for the Petitioner would further submit that the agitators are planning to do agitation in all the units of the Petitioner's company as well as before the Head office at Chennai and therefore, the Petitioner sent a representation on 10.02.2022 to provide adequate police protection to the Respondent. Even though, the same was acknowledged, the respondent has not deputed any police officials to give adequate protection to the Petitioner's company. Therefore, the present petition has been filed.

4. The learned counsel for the petitioner would further submit that though the petitioner has no objection in the employees holding protest or demonstration in a peaceful manner 500 meters away from the main gate of the *** corporate office** the only objection is that they should not illegally prevent ingress and egress of the men and materials in and out of the *** corporate office**.

5. Heard the submissions made by the learned Senior Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the records.

6. Considering the submissions, this Court directs the respondent/Police to give adequate protection for ingress and egress of vehicles and movement of men and machinery in and out of the *** corporate office** and to ensure that no demonstrating or striking people assemble illegally in any form within the radius of 200 meters from the main gate of the petitioner's *** corporate office**.

7. The Writ Petition is ordered accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)
dated:01.04.2022

//True Copy//
*** Corrected as per order of this Court
dated 27.04.2022 in WP No.4425 of 2022
Sd/-
Assistant Registrar(CCC)
dated:28.04.2022**

Sub Assistant Registrar

shk/sai

To

1. The Inspector of Police (L & O)
J3, Guindy Policy Station,
Chennai - 600 032.
2. The Public Prosecutor,
High Court of Madras.

*** To be substituted
to the order already
despatched on 13.04.2022**

+1cc to Mr.V.Vijayakumar, Advocate, S.R.No.14689

W.P.NO.4425 OF 2022 AND
W.M.P.NO.4595 OF 2022

GPL(CO)
PBS/04/04/2022
SU(28/04/2022)