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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 19647 of 2016
and
W.M.P. Nos. 17007 and 17008 of 2016

M/s. Neyveli Lignite Corporation Ltd.,
Represented by its Chief – Regional Manager,
First floor, Mayor Sathyamurthy Road,
FSD, Egmore Complex of FCI,
Chetpet, Chennai – 600 031. … Petitioner

-vs-

1. The Assistant Labour Commissioner (Central),
   Ministry of Labour and Employment,
   DA 2, BSNL Staff Quarters,
   Jayanagar, ReddiarPalayam,
   Puducherry.

2. NLC JeevaOppanthaThozhilalarSangam (AITUC),
   Represented by its General Secretary,
   D-13, Mahatma Gandhi Road,
   Block 24, Neyveli – 607 801.

3. Builders Association of India,
   Represented by its Chairman,
   D-27, Nangal Road,
   Block No. 27, Neyveli.

4. NLC Contractors Association,
   Represented by its President,
   46, Manaar Nagar,
   Gandhi Gramam Post,
   Neyveli.
5. NLC Indcoserve Society,
   Represented by its Managing Director,
   Old C.M.C Complex,
   Opposite Thermal Power Station – 1,
   Neyveli – 607 801.

6. A.AntonySelvaraj

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7. R.Selvamani

8. M.Sekar

9. The Superintendent of Police,
Cuddalore District,
Cuddalore. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Second Respondent and its members or any other workmen of the Petitioner Corporation from proceeding with the illegal strike or indulging in any mode of agitation either within or at the Gates, or in the vicinity of the installations of the Petitioner corporation, or at the corporate office or other office of the Petitioner Corporation which disrupts or has the potential to disrupt the mining and generation activities of the Petitioner corporation or preventing by threats, intimidation or otherwise, free ingress and egress to the willing workers/officers/executives of the Petitioner for attending to their work/shift/duty or otherwise of the Petitioner, a public utility service.

For Petitioner : Ms. J.Shilpa for Mr.F.B.Benjamin George

For Respondents: Mr. P.Balathandayutham
Special Government Pleader
(for R1 and R9)

Not ready in notice (for R2 to R8)

O R D E R

Heard Ms. J.Shilpa, Learned Counsel for the Petitioner and Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the First and Ninth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to forbear the Second Respondent and its members or any other workmen of the Petitioner Corporation from proceeding with the illegal strike or indulging in any mode of agitation either within or at the gates or in the vicinity of the installations of the Petitioner Corporation or at the Corporate Office or other Office of the Petitioner Corporation which disrupts or has the potential to disrupt the mining and generation activities of the Petitioner Corporation or preventing by threats, intimidation or otherwise,

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free ingress and egress to the willing workers/officers/executives of the Petitioner for attending to their work/shift/duty or otherwise of the Petitioner, a public utility service.

3. Learned Counsel for the Petitioner submits that by efflux of time, the relief sought in this Writ Petition does not remain for consideration, and he has made an endorsement to that effect in the court record.

4. In fine, the Writ Petition is dismissed as infructuous. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

gd

To

1. The Assistant Labour Commissioner (Central),
   Ministry of Labour and Employment,
   DA 2, BSNL Staff Quarters,
   Jayanagar, ReddiarPalayam,
   Puducherry.

2. NLC JeevaOppanthaThozhilalarSangam (AITUC),
   Represented by its General Secretary,
   D-13, Mahatma Gandhi Road,
   Block 24, Neyveli - 607 801.

3. Builders Association of India,
   Represented by its Chairman,
   D-27, Nangal Road,
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4. The President,
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5. NLC Indcoserve Society,
   Represented by its Managing Director,
   Old C.M.C Complex,
   Opposite Thermal Power Station - 1,
   Neyveli - 607 801.

6. The Superintendent of Police,
   Cuddalore District,
   Cuddalore.

+1cc to Mr.F.B.Benjamin George, Advocate SR.No.37028

+1cc to Government Pleader SR.No.37672(24/06/2022)

W.P. No. 19647 of 2016

EV(CO)
GMY(23/06/2022)

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