



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.12811 of 2022

and

W.M.P.No.12277 of 2022

M/s. Concorde Textiles,
Represented by its J.Ganesan HR-Manager,
Indirapuram, Nelvoy Post,
Mathurantakam Taluk,
Chengalpattu District.

... Petitioner

Vs.

1. The Inspector of Police,
Padalam Police Station,
Chengalpattu - 603 107.
2. Concorde Textiles Thozhilalar Sangam,
Registered No.515 (KPM),
No.S.R./146, Indirapuram, Nelvoy Post,
Mathurantakam Taluk,
Chengalpattu District.
3. The Deputy Commissioner of Labour - II,
Sriperumpudhur,
Kanchipuram.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ, Order or Direction in the nature of Writ of Mandamus, directing the 1st respondent to provide adequate police protection for ingress and egress of vehicles and people from in and out of the petitioner Company premises and further vacate the trespassing workmen by ensuring that no striking workers assemble illegally in any form within the radius of 500 metres from the petitioner's Company premises, viz., Indirapuram, Nelvoy Post, Mathurantakam Taluk, Chengalpattu District, pursuant to the petitioner's complaint dated 03.05.2022.

For Petitioner : Ms.S.Mahalakshmi

For R 1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For R2 : Mr.S.Sivakumar



ORDER

This Writ Petition has been filed seeking to direct the 1st respondent to provide adequate police protection for ingress and egress of vehicles and people from in and out of the petitioner Company premises and further vacate the trespassing workmen by ensuring that no striking workers assemble illegally in any form within the radius of 500 metres from the petitioner's Company premises, pursuant to the petitioner's complaint dated 03.05.2022.

2. Heard the learned counsel appearing for both the petitioner and the second respondent and the learned Additional Public Prosecutor for R1

3. It appears that there is a dispute between the Trade Union/R2 and the petitioner Company. The Trade Union/R2 had issued a notice for strike relating to the payment of wages.

4. In such view of the matter, no Union has the right to prevent the workers, who are willing to work on their own. If at all a democratic protest is to be made by the second respondent, same may be made only after obtaining prior permission from the Police in the place earmarked by the Police. The Union are not entitled to prevent ingress and egress to the factory premises and if any such law and order problem is created by the striking employees, it is the duty of the Police to give necessary protection to ensure that no such incident will happen inside the factory premises.

5. The respondent Police are directed to consider the request of the second respondent/Union seeking permission to make a democratic protest in the place earmarked by the respondent Police.

6. With the above directions, this Writ Petition stands disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

ham/rgi



To

1. The Inspector of Police,
Padalam Police Station,
Chengalpattu - 603 107.

2. The Deputy Commissioner of Labour - II,
Sriperumpudhur,
Kanchipuram.

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.36390

W.P.No.12811 of 2022
and
W.M.P.No.12277 of 2022

GJ(CO)
SB(28/06/2022)