



WEB COPY



W.P.Nos.21594 and 21597 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.Nos.21594 & 21597 of 2021 and
WMP Nos.22795, 22796, 22800 & 22801 of 2021

M/s.LM UCAL Engineering Private,
C 43 & EP 18, Sidco Industrial Estate,
Maraimalainagar,
Chengalpattu District – 603 209.
Rep by its Authorized signatory
P.Sekar

... Petitioner in W.P.No.21594 of 2021

M/s.IBEX Products Private Limited,
EP 23 and EP 29, Sidco Industrial Estate,
Maraimalainagar,
Chengalpattu District – 603 209.
Rep by its Authorized signatory

... Petitioner in W.P.No.21597 of 2021

Vs.

1. The Secretary,
IBEX Products-L.M. Engineering (P)
Limited Employees Union,
(Unrecognized)
No:9, Vallal Ori Street, NH 1, Maraimalai Nagar,
Chengalpattu District – 603 209.



W.P.Nos.21594 and 21597 of 2021

2. The Superintendent of Police,
Office of the Superintendent of Police,
Chengalpattu District.

3. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu.

4. The Deputy Commissioner of Labour (Conciliation)
Sipcot Complex,
Irunkattukottai,
Thirumperumbudur Taluk,
Kancheepuram District.

...Respondents in both W.Ps.

Common Prayer: Writ petitions filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to initiate appropriate action to provide adequate police protection so as to ensure that the 1st respondent and its members are not preventing the entry and exit of the staff, management and security personnel, ingress and egress of vehicles carrying raw materials, finished goods, machineries to petitioner factory or holding any kind of demonstration, shouting slogans, conducting any kind of unlawful activities within the radius of 500 meters from the factory.

For petitioner
in both W.Ps. : Mr.K.Sankar Vignesh

For Respondents 2 & 3
in both W.Ps. : Mr.A.Damodaran,
Additional Public Prosecutor



W.P.Nos.21594 and 21597 of 2021

COMMON ORDER

The Writ Petitions have been filed seeking direction to the 2nd and 3rd

respondents to initiate appropriate action to provide adequate police protection so as to ensure that the 1st respondent and its members are not preventing the entry and exit of the staff, management and security personnel, ingress and egress of vehicles carrying raw materials, finished goods, machineries to petitioner factory or holding any kind of demonstration, shouting slogans, conducting any kind of unlawful activities within the radius of 500 meters from the factory.

2. The brief facts of the case are that the petitioner companies are engaged in manufacturing automotive components supplying to Tier 1 customers, who in turn supply assembled products like carburetors, oil pumps, vacuum pump to Bajaj Auto, TVS Motors, Maruti Suzuki, Hyundai Motors, Yamaha Motors, Royal Enfield and Tata Motors. The workers employed in both the companies formed the first respondent Union and the Union had announced a sudden strike without any notice, from 01.07.2021. During the course of strike, they started to disturb the movement of vehicles and supply of raw materials. They also disturbed the ingress and egress of



W.P.Nos.21594 and 21597 of 2021

the vehicle.

WEB COPY

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 2 and 3, on instruction, would submit that normalcy has restored and now the petitioner companies are running peacefully.

4. The learned counsel for the petitioners has also accepted the said submission made by the learned Additional Public Prosecutor.

5. In view of the above, there is no necessity to issue any direction to the respondents 2 and 3 for giving protection. However, it is impressed that in any event if the workers Union declare to call for any strike, it should be conducted only 200 meters away from the company premises. During strikes, there should not be any demonstration, blockage of the pathway or shouting of slogans and thereby causing hindrance to ingress and egress of the members of the club or endanger the safety of the men and materials of the petitioner's club. In case of any disturbance or untowardness caused at



W.P.Nos.21594 and 21597 of 2021

any point of time, the petitioner is at liberty to approach the respondents 2 and 3 by way of filing proper representation and the respondents 2 and 3 shall consider the same and take action in accordance with law.

6. With the above observation, the Writ Petitions stand disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

27.10.2022

vum

Index:yes/No

Speaking order / Non speaking order

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Maraimalai Nagar Police Station,
Chengalpattu.
3. The Deputy Commissioner of Labour (Conciliation)
Sipcot Complex,
Irunkattukottai,
Thirumperumbudur Taluk,
Kancheepuram District.



WEB COPY



W.P.Nos.21594 and 21597 of 2021

R.N.MANJULA,J.

vum

W.P.Nos.21594 & 21597 of 2021 and
WMP Nos.22795, 22796, 22800 & 22801 of 2021

27.10.2022