



WEB COPY



W.P.No.31579 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

W.P.No.31579 of 2022

and

W.M.P No.31028 of 2022

Reep Industries Private Limited
No.A1F4, Industrial Estate,
Marimalai Nagar, Kancheepuram
Tamilnadu-603 209
Represented by its Authorised Signatory
Mr.I.Robert.

... Petitioner

Vs

- 1.The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police
Tambaram Police Station
Chennai-600 045.
- 2.The Assistant Commissioner of Police
Tambaram Commissionerate
Guduvanchery Police Station
Guduvanchery-603 202
- 3.The Inspector of Police,
Maraimalai Nagar Industrial Estate
Police Station,
Chennai-603 209.
- 4.G.Jagadishkumar
- 5.D.Shanmugam



W.P.No.31579 of 2022

- 6.G.Venkatesan
- 7.E.Satheeshraj
- 8.A.Murugan
- 9.J.Muthukumar
- 10.G.Sethu Raman
- 11.K.Perumal
- 12.A.Kumaran
- 13.P.Senthilkumar
- 14.S.Vikki
- 15.M.Balakrishnan
- 16.S.Yokgopu
- 17.S.Prabakaran
- 18.J.Nagendiran
- 19.M.Pugazhenth
- 20.N.Muthukumar
- 21.G.Palani
- 22.R.Ettiappan
- 23.D.Shanmugavadivelu
- 24.S.Muthu
- 25.R.Selvaraj
- 26.E.Mohanraj
- 27.L.Sadeesh
- 28.D.Anbarasu
- 29.S.Pavendhan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus or any other order / direction in the nature of Writ, directing the respondents 1 to 3 to provide adequate police protection for the safety, security and protection to the lives and property of the petitioner, their staff and workmen working in Unit-II from the illegal acts of the 4th to 29th respondents, their henchmen and supporters.



WEB COPY



W.P.No.31579 of 2022

For Petitioner : Mr.A.R.L.Sunderesan
Senior Counsel
For Mr.JP. Karunakaran

For Respondents : Mr.S.Santhosh for R1 to R3
Government Advocate (Crl.side)

ORDER

The Writ Petition has been filed, seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to provide adequate police protection for the safety, security and protection to the lives and property of the petitioner, their staff and workmen working in Unit-II from the illegal acts of the 4th to 29th respondents, their henchmen and supporters.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 to 3.

3. The learned counsel for the petitioner submitted that the petitioner is a private limited company, initially engaged in the business of manufacturing 'High Voltage Electric Division Equipment' which are



W.P.No.31579 of 2022

used in power plants; the petitioner started separate unit for manufacturing electrical vehicles including battery operated vehicles like Electric Two wheelers and Electric Three wheelers, for passenger and cargo transmit; the Unit-I undertaking of the petitioner's company has been transferred to Powergear Private Limited (PGL); hence the petitioner's company transferred the staff and workmen to PGL; out of 42 workmen (respondents 4 to 29) who got transferred to PGL, 16 workmen have given their willingness to join PGL; as per the transfer of undertaking agreement between the petitioner's Unit-I and PGL dated 07.11.2022, the transferee company is willing to take the workmen of Unit-I of the petitioner on employment with continuity of service; 26 workmen who have not yet given their willingness are creating problems in the petitioner's premises; they indulged in illegal and atrocious activities like abusing the petitioner's staff and workmen of the Unit-II in filthy language and forcefully stopping them from doing their work; the respondents 4 to 29 have assembled their families in front of the main gate of the petitioner's company and forcefully entered the petitioner's premises without any authority; their activities created threat to the lives of the petitioner's workmen who work at Unit-II; the respondents 4 to 29



W.P.No.31579 of 2022

have created chaotic situation; the petitioner has filed this writ petition to issue a Writ of Mandamus or any other order/direction in the nature of Writ, directing the respondents 1 to 3 to provide adequate police protection for the safety, security and protection to the lives and property of the petitioner, their staff and workmen working in Unit-II from the illegal acts of the respondents 4 to 29 and their henchmen.

4. The learned Government Advocate (Crl.Side) for the respondents 1 to 3 submitted that on the complaint given by the petitioner, current paper enquiry has been initiated in C.S.R No.2489 of 2022 and it is pending for enquiry.

5. Since the respondents 4 to 29 along with their families have assembled in front of the petitioner's company gate, it will not be possible for the workers of the Unit-II get into the company and resume their work. It is seen that no fruitful action has been taken so far. Therefore, the respondents 1 to 3 are directed to consider the representation of the petitioner and do the needful in accordance with law, to protect the safety and security of the workmen and others and the



W.P.No.31579 of 2022

vehicles which ingress and egress of the company for the various reasons. Since several suitable directions were issued to the 3rd respondent police in the matters of illegal strike demonstrated by the workers, the 3rd respondent shall make use of its experience and intelligence to disperse the crowd and resume the petitioner's company.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

25.11.2022

Index : Yes/ No

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- 4.The Public Prosecutor
High Court of Madras.



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