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W.P.No.13419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.13419 of 2023
and
W.M.P.No.13095 of 2023

The Management of
United Industries Plastic Private Limited,
Plot No.S38 to 40, 4th Main Road,
Sipcot Industrial Estate, Pillaipakkam,
Vengadu Village,
Sriperumbudur Taluk,
Kancheepuram District – 602 105
Rep by its Authorised Signatory

... Petitioner

Vs.

1.The Inspector of Police,
Sriperumbudur Police Station,
Sriperumbudur Taluk,
Kancheepuram District.

2.General Workers Union – CITU,
No.77, A.J. Complex,
2nd Floor, Bangalore Highway,
Sriperumbudur – 602 105
Rep by its Secretary

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus to direct the 1st respondent



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herein to provide adequate police protection for ingress and egress of vehicles and people from in and out of the factory premises and further vacate the trespassing workmen by ensuring that no striking workers assembly illegally in any form within the radius of 300 meters from petitioner's factory premises namely, Plot No.S38 to 40, 4th Main Road, Sipcot Industrial Estate, Pillaipakkam, Vengadu Village, Sriperumbudur Taluk, Kancheepuram District – 602 105 pursuant to the complaint of the petitioner dated 21.03.2023 and 18.04.2023.

For Petitioner	:	Mr.S.Haroon for M/s.T.S.Gopalan and Co.
For Respondent-1	:	Mr.A.Gopinath Government Advocate (Crl. Side)

ORDER

This writ petition has been filed seeking for police protection to ensure free ingress and egress of the vehicles and men from in and out of the factory premises.

2. When the writ petition came up for hearing on 27.04.2023, this Court passed the following order:



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'This petition is filed to direct the first respondent herein to provide adequate police protection for ingress and egress of vehicles and people from in an out of the factory premises and further vacate the trespassing workmen by ensuring that no striking workers assemble illegally in any form within the radius of 300 meters from petitioners factory premises namely, Plot No. S38 to 40, 4th Main Road, Sipcot Industrial Estate, Pillipakkam, Vengadu Village, Sriperumbudur Taluk, Kancheepuram District – 602 105 pursuant to the complaint of the petitioner dated 21.03.2023 and 18.04.2023.

2. It is the submission of the learned counsel for the petitioner that, 2nd respondent Union made Charter of Demands. The matter was considered by Conciliation Officer. The conciliation proceedings is pending in Na.Ka.No.A/165/2013 dated 28.03.2023. Infact, Conciliation Officer gave a direction not to resort strike. However, 2nd respondent proceeded with illegal strike from 17.04.2023. The members of the 2nd respondent Union are striking within the premises of the petitioner and they are preventing the regular functioning of the petitioner's company. Therefore, this petition is filed seeking police protection.

3. The learned Government Advocate (Crl. Side) submitted that, on the basis of the complaint given by the petitioner dated 18.04.2023, CSR enquiry is pending in C.S.R.No.453 of 2023.



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4. It is seen that, in the 5th page of the petition, Inspector of Police, Oragadam Police Station is shown as 1st respondent. However, this Court finds from the petition that, in other pages, Inspector of Police, Sriperumbudur Police Station is alone shown as 1st respondent. Therefore, **Registry is directed to make suitable amendment in the 5th page of the petition as Inspector of Police Sriperumbudur Police Station instead of Inspector of Police, Oragadam Police Station.**

5. Post the matter after vacation. In the light of the submission made by the learned counsel for the petitioner that conciliation proceedings is pending before Conciliation Officer, this Court directs the respondent police to provide adequate police protection for ingress and egress of vehicles and people from in and around the petitioner's factory premises, till next hearing.'

3. When the matter was taken up for hearing today, learned Government Advocate (Crl. Side) submitted that the police protection is continued to be given pursuant to the above order. Learned counsel for petitioner submitted that the police protection extended shall be continued, since the strike is continuing.



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4. The order passed on 27.04.2023 shall be continued till normalcy is restored.

5. This writ petition is disposed of in the above terms. No costs.
Consequently, connected miscellaneous petition is closed.

20.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
Neutral Citation : Yes/No
rsi

To

1.The Inspector of Police,
Sriperumbudur Police Station,
Sriperumbudur Taluk,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

rsi

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