



WEB COPY



W.P.No.21245 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.21245 of 2023

and

W.M.P.Nos.20660 & 20661 of 2023

M/s.NLC India Limited,
Represented by its Deputy General Manager (IR),
Neyveli – 607 801. ... Petitioner

Vs.

- 1.The Collector,
Office of the Collectorate,
Cuddalore, Cuddalore District.
- 2.The Superintendent of Police,
No.18, Pudukuppam New Street, Meenakshi Nagar,
Pudukuppam, Cuddalore – 607 001.
- 3.The Deputy Superintendent of Police,
Neyveli Town, Block – 8, Neyveli T.S. – 607 801.
- 4.The Deputy Chief Labour Commissioner – Central,
No.4, Haddows Road, Shastri Bhavan, Chennai – 600 006.
- 5.The Regional Labour Commissioner – Central,
No.4, Haddows Road, Shastri Bhavan, Chennai – 600 006.
- 6.The Assistant Labour Commissioner (Central),
DA-2, BSNL Staff Quarters, Jaya Nagar,
Reddiarpalayam, Puducherry – 605 010.



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7.The General Secretary,
NLC Jeeva Oppantha Thozilalar Sangam,
D-13, Mahatma Gandhi Road,
Block – 24, Neyveli – 607 801.

8.The INDCOSERVE SOCIETY,
Represented by its Managing Director,
Opposite to TPS – I Expansion,
Neyveli, Cuddalore District.

9.The Builders Association of India,
Represented by its Chairman,
D-7, Gnana Sambanthar Salai,
Block – 19, Neyveli – 607 803.

10.The NLC Contractors Association,
Represented by its President,
D-23, High School Road,
Block No.2, Neyveli – 607 803.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein not to grant any permission(s) to the alleged members of the 7th respondent from conducting in any mode of agitation(s) either within Neyveli Township, within, or at the Gates, or in the vicinity of the installations of the Petitioner Company, being a public utility service, which disrupts or has the potential to disrupt the mining and generation activities of the Petitioner Company or preventing by threats, intimidation or otherwise, free ingress and egress to the willing contract workers in the Petitioner Company, being a public utility service, for attending to their work/shift/duty or otherwise.



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For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.V.Ravi
Special Government Pleader [R1 to R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 3 herein not to grant any permission(s) to the alleged members of the seventh respondent from conducting in any agitation either within Neyveli Township or from preventing free ingress and egress to the workers in the Petitioner Company for attending to their work.

2. Mr.V.Ravi, learned Special Government Pleader takes notice for the respondents 1 to 3. In view of the consent expressed by the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3, this petition is taken up for final disposal.

3. The case of the petitioner is that, the seventh respondent entered a 12(3) settlement with the petitioner Company and thereafter, there was a dispute with regard to wages and pending the conciliation proceedings,



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contrary to Section 22 of the Industrial Disputes Act, 1947, they decided to go on strike. Therefore, the petitioner made representation before the respondents 1 to 3 dated 14.06.2023. Since the same was not considered by the respondents 1 to 3, the Petitioner Company filed the above writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents 1 to 3 to consider petitioner Company's representation dated 14.06.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents 1 to 3 has no objection for the said order being passed.

6. Considering the limited request made by the petitioner Company, this Court, without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner Company's representation dated 14.06.2023 and pass appropriate orders, after affording an opportunity of personal



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hearing to the petitioner Company as well as the seventh respondent, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Consequently, the connected miscellaneous petitions are closed.

18.07.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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M.DHANDAPANI, J.

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