



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.76 of 2024
and W.M.P.No.72 of 2024

M/s.Flextronics Technologies (India) Private Limited,
Registered Office at Plot No.3, Phase II,
SIPCOT Industrial Estate, Sandevellur C Village, Sriperumbudur,
Kanchipuram, Tamil Nadu – 602 106.
Represented by its Senior Manager

... Petitioner

Vs.

- 1.Government of Tamil Nadu,
Represented by its Secretary,
Home Department,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
- 3.Kanchipuram Public Workers Union,
Reg. No.KPM-526,
No.21B, Vilakkadi Koyil Street, Kanchipuram 631 501.
- 4.The Deputy Commissioner of Labour,
Tamil Nadu Labour Welfare and Skill Development Department,
Irungattukottai, Sriperumbudur Taluk, Kanchipuram District.



5.Kanchipuram Pothu Thozhilalar Sangam,

Reg. No.KPM-526,

Represented by its Special President Mr.E.Muthukumar,

No.21B, Vilakkadi Kovil Street,

Kanchipuram 631501.

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to provide police protection and ensure movement of Workmen including Contract Labour, staff, Managers and other persons and ingress and egress of vehicles carrying finished goods and raw materials from and in to the factory of the petitioner and from holding stay-in-strike at the factory premises or holding any demonstration within 300 metres of the factory gate at Plot No.3, Phase II, SIPCOT Industrial Park, Sandavellore C Village, Sriperumpudur Taluk, Kanchipuram District – 602 106.

For Petitioner : Mr.S.Ravi
Senior Counsel for
M/s.Savitha Kesav Jagadeesan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd and 3rd respondents to provide police protection to the factory premises in order to ensure free movement of men and materials from and to the factory and for a



further direction not to hold any demonstration within a radius of 300 meters from the factory gate.

2.Heard Mr.S.Ravi, learned Senior Counsel appearing on behalf of the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

3.The case of the petitioner is that they have received a letter dated 25.09.2023, to the effect that the employees of the petitioner Company have joined a registered Union. It was further stated that the Union is going to file a petition before the Deputy Commissioner of Labour, Irungattukottai, raising certain demands. The petitioner received yet another letter dated 13.10.2023, wherein, the charter of demands raised by the Union was informed to the petitioner. The matter was also referred to the 4th respondent. The conciliation proceedings are going on before the 4th respondent.

4.The grievance of the petitioner is that they once again received information from reliable sources that a crowd consisting of 300 persons are going to assemble



near the factory gate of the petitioner and they are going to cause disruption to the ingress and egress of men and materials to and from the factory premises. On receipt of such an information, the petitioner had given a representation before the respondent police seeking for police protection. Since the same was not acted upon, the present writ petition has been filed before this Court.

5.The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that this writ petition itself has been filed based on a mere apprehension. The learned Additional Public Prosecutor submitted that till date, no such demonstration or gathering had taken place before the factory premises and there was no occasion for the respondent police to act upon the representation / complaint given by the petitioner. The learned Additional Public Prosecutor submitted that as and when any such demonstration is made by disrupting the ingress and egress to and from the factory, the complaint given by the petitioner will be acted upon by the police in accordance with law.

6.The learned Senior Counsel appearing on behalf of the petitioner submitted that the demonstration is going to take place tomorrow and it is going to be a huge



gathering of 300 people in front of the factory gate. If this takes place, there will be complete disruption of the activities of the factory, since the men and materials will be blocked. The learned Senior Counsel submitted that no one has the right to block the entrance of the factory premises and if at all any demonstration is done, it can be done only at a distance from the factory gate without causing any disruption.

7.This Court has carefully considered the submissions made on either side and also the materials available on record.

8.It is an admitted fact that the demonstration that is going to be held near the factory gate is in the realm of an apprehension and till date no such demonstration has taken place. However, the learned Senior Counsel appearing on behalf of the petitioner submitted that there is reliable information that it is going to take place from tomorrow. In the light of this submission, there shall be a direction to the 3rd respondent to keep a surveillance near the factory premises. If any attempt is made to hold a demonstration causing a blockage near the factory gate, the same shall be prevented and police protection shall be given to ensure free ingress and



gress of men and materials to and from the factory. If at all any demonstration or meeting is to be held, the same shall be held beyond the radius of 100 meters from the factory gate. The respondent police shall ensure that no untoward law and order problem is created.

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

04.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

Note: Issue Order Copy on 04.01.2024

To

- 1.The Secretary,
Government of Tamil Nadu,
Home Department,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Superintendent of Police,
Kanchipuram, Kanchipuram District.



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3.Kanchipuram Public Workers Union,
Reg. No.KPM-526,
No.21B, Vilakkadi Koyil Street, Kanchipuram 631 501.

4.The Deputy Commissioner of Labour,
Tamil Nadu Labour Welfare and Skill Development Department,
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Represented by its Special President Mr.E.Muthukumar,
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6.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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