



W.P.No.25571 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2024

CORAM

THE HON'BLE **Dr.JUSTICE G.JAYACHANDRAN**

W.P.No.25571 of 2024

and

W.M.P.No.27920 of 2024

Samsung India Electronics Pvt.Ltd.,
Plot No.P-1, M-5 & M-18, SIPCOT Industrial Park,
Phase-II, Sunguvarchatram (P.O).,
Sriperumbudur Taluk,
Kanchipuram District
Rep.by its Authrized Signatory
Mr.RM.Thanayuthapani

... Petitioner

Vs.

1.The Inspector of Police,
C-2, Police Station,
Sriperumbudur Taluk,
Kanchipuram District
Tamil Nadu-602 106.

2.Ellan
3.S.Mohanraj
4.M.Sivanesan
5.L.Balaji
6.R.Madesu

... Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus direct the 1st respondent to provide adequate police protection for ingress and egress of vehicles and people from in and out of the factory premises, further prevent and evict the trespassing workmen and members of the union represented by the 2nd to 7th respondent by ensuring no striking workers assemble illegally in any form inside or in the radius of 500 meters from petitioner factory premises namely Plot No.P-1, M-5 & M-18, SIPCOT Industrial Park, Phase-II, Sunguvarchatram (P.O)., Sriperumbudur Taluk, Kanchipuram District, Tamil Nadu pursuant to the complaint of the petitioner dated 24.08.2024.

For Petitioner : Mr.V.Karthick, Senior Counsel
for M/s.Agam Legal Advocates

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

For R2 to R6 : Mr.S.Sivakumar

ORDER

The petitioner herein, being aggrieved by the activity of the unregistered Union under the Trade Union Act, preventing the ingress and egress of the willing workers entering the factory premises, is before this Court seeking appropriate direction.



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2. According to the learned senior counsel appearing for the petitioner, the members of the unregistered Union submitted a set of charter of demands on 11.07.2024. Thereafter issued strike notice on 19.08.2024 that they will proceed with strike after 14 days if the demands are not made. The matter is now before the Labour Commission for conciliation and the next date of conciliation is on 06.09.2024.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police states that about 700 employees of the petitioner's company conducted protest meeting on 30.08.2024 between 5.30 p.m., to 6.30 p.m., and the information gathered indicates that they may go for another protest meeting on 04.09.2024. The protest meeting was 500 meters away from the factory premises and there was some disturbance to the movement.

4. The learned counsel appearing for the members of the labour union submits that they have the intention to conduct another protest meeting on 04.09.2024 as stated by the learned Government Advocate (Crl.Side). They will not cause any disturbance to the movement of



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employees or vehicle to the factory premises and all their protest and meeting will be 500 meters away from the factory premises and they shall not any way disturb the production activity of the workers, who willing to work.

5. The petitioner and the union shall resolve their issue before the conciliation officer and arrive at a settlement as early as possible. With this observation, this Writ Petition is disposed of . Consequently, the connected Miscellaneous Petition is closed. No costs.

02.09.2024

rpl

Index : Yes/No

Internet: Yes/No

To

1.The Inspector of Police,
C-2, Police Station,
Sriperumbudur Taluk,
Kanchipuram District
Tamil Nadu-602 106.

2.The Public Prosecutor,
High Court of Madras,
Chennai



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Dr.G.JAYACHANDRAN, J.

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