



WEB COPY

WP No. 5921 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 5921 of 2023
AND WMP NO. 5919 OF 2023**

1. Caterpillar India workers Union
Regn. No. CPT/ 414, Rep. by its
General Secretary B.Gokul
Melnallathur Village,
Thiruvallur- 602 002.

Petitioner(s)

Vs

1. The Director of Industrial Safety and Health
TS. No. 47/1 , SIDCO Industrial Estate (Near Metro
water roundtana) , Guindy, Chennai 32

2.The Joint Director of Industrial safety and Health
No. 6/9 And 10, Lal Bahadur Shastri Street,
Periyakuppam,
Thiruvallur 602 001

3.The Management of Caterpillar India Private Limited
Rep By Its Managing Director Melnallathur Village,
Thiruvallur- 602 002.

4.Mr. Vivekanand Vanmeeganathan
The Managing Director, Caterpillar India Private
Limited, Melnallathur Village, Thiruvallur- 602 002.



Respondent(s)

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the 3rd respondent to run the canteen meant for the workers in the premises allotted for the purpose in the factory including Cooking of the food in the said kitchen of the canteen and further direct the 1st and 2nd respondent to ensure such compliance by the 3rd respondent.

For Petitioner(s): Mr. V.PRAKASH (P -IN- P)
For Respondent(s): MR. K. SURENDREN, AGP
FOR R1 AND 2 MS. S.B.
KEERTHANA FOR AGAM
LEGAL ADVOCATES
FOR R3 AND R4

ORDER

The present writ petition has been filed seeking a direction to the 3rd respondent to run the canteen meant for the workers in the premises allotted for the purpose in the factory including Cooking of the food in the said kitchen of the canteen and further direct the 1st and 2nd respondent to ensure such compliance by the 3rd respondent.

2. It is the case of the petitioner that the third respondent management which employs about 3000 workers in its factory at Melnallathur Village, Thiruvallur has statutory duty to run a canteen in accordance with section 46 of



the Factories Act and the rules framed thereunder. However, the third respondent management has not provided the canteen as mandated under the Act and they have provided pre-cooked food from outside and served to the workers which is inadequate quality and quantity. Therefore, the petitioner Union made a complaint before the respondents 1 & 2 and the same has not been considered. Hence, the present writ petition.

3. The Party-in-person appearing for the petitioner Union submitted that based on the complaint, the respondents 1 & 2 have initiated the proceedings as against the respondents 3 & 4 on 18.01.2023 and subsequently, a criminal case has also been filed in Cr. Nos.674 and 678 of 2023 as the respondents 3 & 4 and the same is pending. Hence, this court may permit the petitioner Union to proceed the present case as well as the criminal case together as against the respondents 3 & 4 before the appropriate forum.

4. In view of the limited request sought for by the petitioner, this Court grants liberty to the petitioner union to proceed the criminal case as well the present writ petition together before the appropriate forum.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

rli

15-04-2025



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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M.DHANDAPANI J.
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To

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