



W.P.(MD)No.10398 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.10398 of 2025

and

W.M.P(MD)Nos.7772 & 7773 of 2025

M/s.NLC Tamil Nadu Power Limited,
(A Joint Venture Company of NLCIL & TANGEDCO)
Rep. by its Chief Executive Officer,
Having office at Harbor Estate,
Tuticorin-628 004.

... Petitioner

Vs.

1. The Regional Labour Commissioner
Ministry of Labour and Employment,
Kanaga Apartments, Suit No.3, 1st Floor, 13-A,
Lady Doak College Road, Chinna Chokkikulam, Madurai - 62
2. The Labour Enforcement Officer
Ministry of Labour and Employment,
Tuticorin.
3. The Superintendent of Police
Tuticorin District, Tuticorin.



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4. The District Collector
Tuticorin District, Tuticorin.
5. Tamil Nadu Min Uzhiyar Mathiya Ammaippu
(Regd.No.158 Cpt), Affiliated with
Center of Indian Trade Unions (CITU),
Rep. by its Secretary,
No.145/1A, Ettayapuram Road,
Tuticorin-2

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the 5th respondent and its members from proceeding with the illegal strike and indulging in any mode of agitation within a distance of one kilometre from the Gates or in the vicinity of the petitioner company which disrupts or has the potential to disrupt the power generation activities or preventing by threats intimidation or otherwise free ingress and egress to the willing workers/ officers/ executives of the petitioner Company a Public Utility Service for attending to their work/ shift/ duty or otherwise.

For Petitioner : Mr.K.R.Laxman
For R3 & R4 : Mr.A.Baskaran
Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus forbearing the fifth respondent and its members from proceeding with the illegal



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strike and indulging in any mode of agitation within a distance of one kilometre from the Gates or in the vicinity of the petitioner's company which disrupts or has the potential to disrupt the power generation activities or preventing by threats intimidation or otherwise free ingress and egress to the willing workers/ officers/ executives of the petitioner Company a Public Utility Service for attending to their work/ shift/ duty or otherwise.

2. The fifth respondent is admittedly a private entity i.e., Union of Contract Labour working in the petitioner's corporation. Therefore, the fifth respondent does not fall within the meaning of State under Article 12 or any other authority to maintain the present writ petition. Hence, the writ petition cannot be entertained.

3. However, from the perusal of the material on record, it is noticed that the grievance of the petitioner is about safety of the petitioner's corporation and the employees, who are willing to work in the petitioner's corporation, notwithstanding the strike call given by the fifth respondent. If that being the



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case, it is always open for the petitioner to approach the respondents 3 & 4 or the jurisdictional police station seeking proper police protection for the petitioner's corporation as well as for the workman, who are willing to work notwithstanding the strike call given by the fifth respondent. In case, if the petitioner approaches the respondents 3 & 4 or the jurisdictional police station, the said authorities shall consider the representation submitted by the petitioner and take appropriate action in accordance with law, without any delay. In case, the petitioner submits any such representation within the couple of days, either today or tomorrow, the concerned authority shall take appropriate decision on the same, on or before 15.04.2025.

4. In view of the above, the writ petition is dismissed subject to above observations. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

09.04.2025

Neutral Citation: Yes / No

Index : Yes / No

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Note: Issue Order Copy on 09.04.2025

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To

1. The Superintendent of Police
Tuticorin District, Tuticorin.
2. The District Collector
Tuticorin District, Tuticorin.



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MUMMINENI SUDHEER KUMAR, J.

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