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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP Crl. No. 2731 of 2026

CNR:{HCMA012430672026}

AND

WP CRL. NO. 2732 OF 2026,WP CRL. NO. 2734 OF 2026

India Trimmings Private Limited
A Company incorporated under the Companies
Act, 1956,
Having its registered office and manufacturing unit
at 6/808,
Pillaiappampalayam, Telungupalayam, Annur,
Coimbatore-641653,
Represented by its Authorised Signatory,
Vijayakumar.K

..Petitioner

Vs

1. The State of Tamil Nadu, Represented by its
   Principal Secretary to Government
   Home Department,
   Fort St.George, Chennai.

2. The Director General of Police
   State of Tamil Nadu,
   Dr.Radhakrishnan Salai,
   Mylapore, Chennai.

3. The Deputy Superintendent of Police
   Mettupalayam Sub-Division,
   Coimbatore District Police (Rural),
   Coimbatore District.

4. The Inspector of Police
   Annur Police Station, Coimbatore District.

5. India Trimmings Employees Union
   Represented by its General Secretary,
   No.48/50, Koniamman Temple Veedhi,
   Thirumalai Nayakampalayam,

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Jothipuram post office,
Coimbatore-641047.
(R5 is suomotu impleaded as per the order of this court dated 12.10.2026 in WP.Crl.Nos.2731, 2732 and 2734 of 2026)

..Respondents

WP Crl. No. 2732 of 2026

CNR:{HCMA012430602026}

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..Respondents

WP Crl. No. 2734 of 2026

CNR:{HCMA012430682026}

India Trimmings Private Limited
A Company incorporated under the Companies Act, 1956,
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Vijayakumar.K

..Petitioner

Vs

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   WP.Crl.Nos.2731, 2732 and 2734 of 2026)

..Respondents

WP Crl. No. 2731 of 2026

To issue a Writ of Mandamus or any other appropriate Writ, Order of Direction, in the nature thereof, directing Respondent No.2 (The Director General of Police), Respondent No.3 (The Deputy Superintendent of Police) and 4 (The Inspector of Police) to take all the necessary and effective measures, to prevent the recurrence of any unlawful obstruction, intimidation, Unlawful Assembly,, Blockade or Coercion at the Company premises of the petitioner company at 6/808, Pillaiappampalayam, Telungupalayam, Annur, Coimbatore during the pendency of the present proceedings and until completion of the Lawful Business Activities by the Petitioner Company.

WP Crl. No. 2732 of 2026

To Issue a Writ of Mandamus, or any other appropriate writ, order or direction in the nature thereof, directing Respondent Nos.3 (The Deputy Superintendent of Police) and 4 (The Inspector of Police) to forthwith provide adequate and effective police protection to the Petitioner Company (including by deputing the necessary police personnel at the Company Premises as may be

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required) to enable it to carry out its Lawfuls Business Activities, at the Company Premises, situated at 6/808, Pillaiappampalayam, Telungupalayam, Annur, Coimbatore without disruption, intimidation, threat, obstruction or breach of peace and order at the hands of the former employees of the Petitioner Company and/or the members of the ITE Union.

WP Crl. No. 2734 of 2026

To issue a Writ of Mandamus, or any other appropriate writ, order or direction in the nature thereof, directing Respondent Nos.3 (The Deputy Superintendent of Police) and 4(The Inspector of Police) to ensure that no former employees of the Petitioner Company and/or members of the ITE Union Assemble illegally, in any form whatsoever, within a radius of 500 meters of the Company Premises of the Petitioner Company at 6/808, Pillaiappampalayam, Telungupalayam, Annur, Coimbatore, and to further ensure that no obstruction is caused to the ingress and egress of vehicles and persons to and from the said Company premises, during the pendency of the present Writ Petition until completion of the Lawful Business Activities by the Petitioner Company ...

For Petitioner in all Petitions	:	Mr.V.Prakash, Senior Counsel for P.Giridharan
For Respondents in all Petitions	:	Mr.S.Yogaraja Sekar, Counsel for Government of Tamil Nadi (Criminal Side) for R1 To R4
		Mr.Balan Haridoss Ms.G.K.Dharshini for R5

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Common Order

Heard Mr.v.Prakash, learned Senior Counsel for Mr.P.Giridharan for the petitioner, Mr.S.Yogaraja Sekar for the respondents 1 to 4 and Mr.Balan Haridoss for Ms.G.K.Dharshini for the fifth respondent.

2. The scope of these writ petitions are limited. The petitioner seeks police protection to remove the machineries in its factory situated at No.6/808, Pillaiappampalayam, Telungupalayam, Annur, Coimbatore. The petitioner was running an industry therein. On account of continuous losses, it decided to close the factory. It is the claim of the petitioner that it has strictly complied with the four Labour Codes in force before closing down its operation on 16.12.2025. The petitioner states that there are no dues payable by the petitioner to its workmen. While the petitioner was attempted to remove the machineries from the site, the members of the fifth respondent Union prevented the removal of the machineries, stating that the closure itself is illegal and that they have claims against the writ petitioner. The petitioner made a representation to the fourth respondent, Inspector of Police, Annur Police Station, seeking protection to remove the machineries. As orders were not forthcoming, it is before this court.

3. When the matter was listed for admission, I noticed that the Worker's Union had not been arrayed as a party to the petitions. Therefore, I *suo motu*

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impleaded the Union as the fifth respondent in all the three petitions. I directed service of notice and Mr.Balan Haridoss representing Ms.G.K.Dharshini has entered appearance for the fifth respondent Union.

4. It is the plea of Mr.Balan Haridoss that the closure of the industry is an unlawful and illegal act and the workmen have sizeable claims against the company. He states that the proceedings have been initiated in IDOP.No.25 of 2026 etc., batch before the Labour Court at Coimbatore. Mr.Balan Haridoss states that the writ petitioner/Management of the company has filed a counter and the matter is ready for enquiry. He states that in the meantime, if the petitioner is permitted to remove the materials and in the event the workmen are successful before the Labour Court, all that they will have in their hands is only a paper decree.

5. Mr.V.Prakash, in response, states that the petitioner is entitled as a matter of right to remove the machineries which belong to it, especially when it has strictly complied with the closure norms laid down under the Labour Code. He states that the Union cannot impede the Management by interfering with the ingress and egress of the removal of the machineries. He adds that the land belongs to the petitioner.

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6. Mr.S.Yogaraja Sekar reports that the police will comply with any directions that may be issued by this Court.

7. I have carefully considered the submissions made on either side. I have gone through the records.

8. Whether the closure is in accordance with law or otherwise, it is not for this court to decide. The Labour Court situated at Coimbatore will look into the issue and decide on the same. Whether the petitioner is entitled to remove its materials is not a matter for quarrel. The petitioner is the owner of the articles and as the owner of the property touching upon the highway/ public street, it is entitled to ingress and egress to its property.

9. While dealing with cases such as these, the normal order that will be passed by this court is directing the workmen to be away from the premises, at an extent of 100 meters or 500 meters, depending upon the size of the Union and to indulge in a protest or demonstration. However, the standard order passed by this Court in those cases cannot be applied here for a simple reason that it is not as if the petitioner is going to continue with the manufacturing activity. It is a case where the petitioner is closing down the business and wants to remove the machineries and alienate the same.

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10. Balancing of rights is also the duty of this court. This court cannot predict whether the industrial dispute will go in favour of the petitioner or in favour of the fifth respondent and if by that time, the petitioner would have already sold all the machineries and the property and all that the workmen will be left with is a paper decree. As much as capital is essential for this country, so also is labour.

11. Taking into consideration the submission of Mr.V.Prakash that the immovable property, in which the machineries have been installed, belongs to the petitioner, **the writ petitions are disposed of** with the following directions:

(i) The fifth respondent / Union or its members or any other erstwhile workmen of the writ petitioner shall not interfere with the petitioner removing its machineries from the manufacturing unit situated at No.6/808, Pillaiappampalayam, Telungupalayam, Annur, Coimbatore.

(ii) Whenever the petitioner requires security for removal of the machineries, it shall pay a sum of Rs.10,000/- to the fourth respondent police.

(iii) On payment of the aforesaid amount, the fourth respondent shall depute a Sub-Inspector of Police, a Head Constable and a Grade-I Constable to provide security to the writ petitioner for the purpose of removal of the machineries from its premises.

(iv) The writ petitioner shall not alienate the immovable property for a period of four weeks.

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(v) The fifth respondent is at liberty to invoke the appropriate provisions in the New Labour Codes (Sections 49 and 52 of the Industrial Relations Code) and to seek for an interim order not to alienate the property against the respondent in those proceedings.

(vi) The order restraining the petitioner not to alienate the property will be valid only for a period of four weeks. It is for the fifth respondent Union to move the labour court and seek for appropriate orders, including furnishing security to the credit of those proceedings.

28-10-2026

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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V.LAKSHMINARAYANAN J.

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