

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos.11948, 11949 and 11960 of 2021

**W.P.No.11948 of 2021**

Workmen of Renault- Nissan  
(India) Pvt Ltd Through Renault - Nissan  
(India) Thozilalar Sangam Rep by K.Balaji  
Krishnan (President) 4th Floor CJ Complex .  
149 Thambuchetty ... Petitioner

Vs

- 1 State of Tami Nadu  
Rep by its Chief Secretary  
Department of Revenue and Disaster Management (DM-IV)  
Department Fort St George Chennai-600 009.
- 2 Management of Renault - Nissan (India) Pvt Ltd  
Plot No.1 SIPCOT Industrial Complex  
Oragadam Sriperumbudur  
Tamil Nadu- 602105. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the 1st respondent in connection with GO Ms No. 371 of Revenue and Disaster Management (DM- IV) department dated 8.5.2021 as clarified in GO Ms No. 348 dated 20.04.2021 in respect of Entry (d) of clause I and Clause (Xii) of Clause II of the same department and quash the same in so far as the aforesaid clauses are concerned and issue such further

or other appropriate orders or directions as this Honble court.

**W.P.No.11949 of 2021**

1 Workmen of Wipro Infrastruct [ PETITIONER ]  
ure Engineering Through United Labour  
Federation Rep.by its Vice President 4th  
Floor CJ complex No.149 Thambu Chetty  
Street Chennai 600 001.

Vs

- 1 State of Tamil Nadu  
Rep. by its Chief Secretary  
Department of Revenue and  
Disaster Management (D.M - IV) Department  
Fort St. George Chennai 600 009.
- 2 The Management of Wipro Enterprises (P) Ltd.  
C Block CCLG Division,  
Sarjapur Road Bangalore 560 035.
- 3 Plant Head  
Wipro Infrastructure Engineering (A)  
Division of Wipro Enterprised (P) Ltd.  
Plot C1 SIPOT Insustrial Park Irrungattukottai  
Sriperumbudur Taluk ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the recores of the 1st respondnet in connection with GO (Ms) No.371 of Revenue and Disaster Management (DM- IV) department dated 08/05/2021 as clarified in GO (Ms) No.348 dated 20/04/2021 in respect of Entry (d) and (f) of Clause I and clause (Xii) of clause II of the same department and quash the same in so far as the aforesaid Clauses are concerned and issue such further or other appropriate orders or directions as this Honourable court may deem fit and proper in the facts and circumstances of the case award costs.

**W.P.No.11960 of 2021**

C.R.Prabhakaran ... Petitioner

Vs

- 1 State of Tamilnadu  
Rep by its Chief secretary  
Department of Revenue and  
Disaster Management (DM-IV) Department  
Fort St.George chennai-600 009
- 2 MRF Limited  
Rep by its Managing Director  
124 Greams Road, chennai-600 006
- 3 Plant Manager  
MRF Limited Tiruvottiyur High Road  
Tiruvottiyur Chennai  
TamilNadu-600019 ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the 1st Respondent in connection with GO Ms No.371 of Revenue and Disaster management (DM-IV) Department dated 8.5.2021 as clarified in GO (MS) No.348 dated 20.4.2021 in respect of Entry (ix) of clause II and quash the same in so far as the aforesaid clauses are concerned.

For Petitioner : Mr.V.Prakash,  
Senior counsel,  
for Mr.Maithreyi Canthaswamy Sharma

For Respondents : Mr.R.Shunmugasundaram,  
Advocate-General,  
Assisted by Ms.Shabnam Banu,  
Government Advocate

COMMON ORDER  
(made by the Hon'ble Chief Justice)

Since the State's affidavit has not been forthcoming, let the matter stand over for a week. Copies of the State's affidavit should be reached to the petitioners and the employers before the matter appears next.

2. There appears to be some tension between employer Renault Nissan and its employees, including a veiled threat of the workers desisting from attending the manufacturing unit if their concerns are not taken care of. It is also submitted on behalf of the petitioners that the workmen at the Hyundai Unit in the State have walked out this morning and have refused to participate in the further manufacturing process.

3. While employer Renault seeks to contend that appropriate measures have been put in place, that three shifts have been reduced to two and all safety arrangements have been made for workers, including their transportation and vaccination for those eligible to be vaccinated, the petitioners complain that the employer is seeking to

take advantage of the exemption granted by the State Government without even bringing down the level of production to only so much as may be necessary to meet the export commitments. The petitioners also complain that there is no supervision of the current conditions at work by any government official, whether from the Directorate of Industrial Safety or the appropriate authorities under the Factories Act.

4. It is imperative that some kind of supervision be maintained by the State through the appropriate officers so that the workmen at Renault are not forced to work in conditions that may put their health in danger. The employer should also indicate if the level of production has been reduced, particularly since the conversion of three shifts to two may be meaningless if the overall number of workmen continues to be the same. It will be open to the employer to furnish the further details by way of a supplementary affidavit be filed before the matter is taken up next.

5. Post on 31.05.2021.

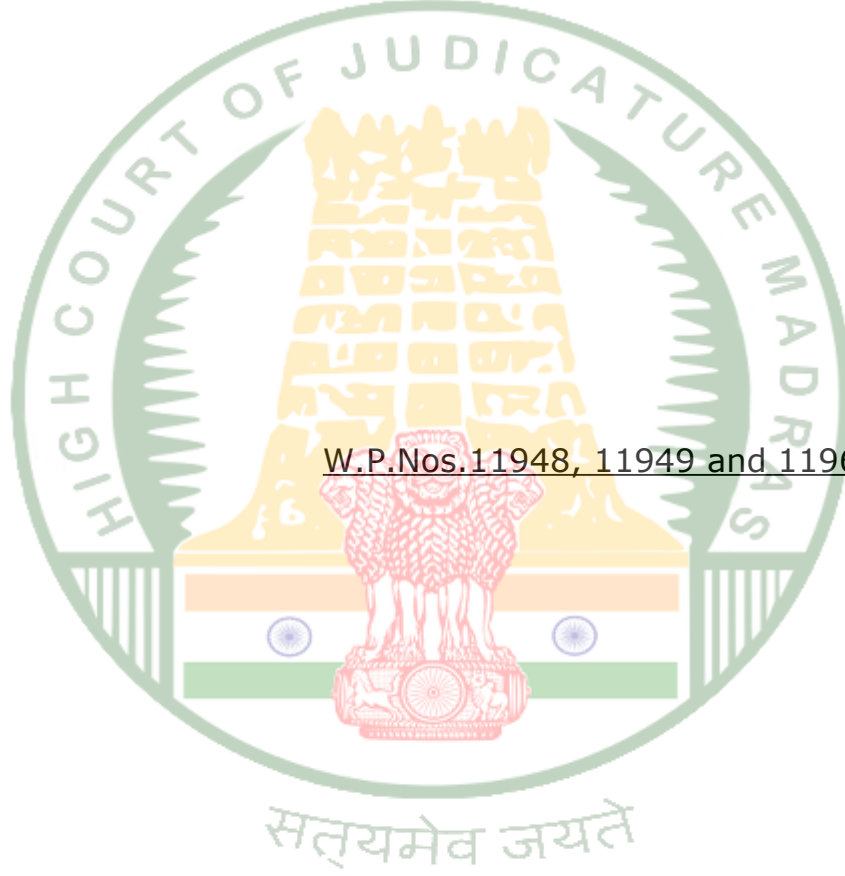
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(S.B., CJ.) (S.K.R., J.)  
24.05.2021

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THE HON'BLE CHIEF JUSTICE  
AND  
SENTHILKUMAR RAMAMOORTHY, J.



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