

**In the Court of the District Magistrate and District Collector,
Thoothukudi.**

Present: Thiru. N. Venkatesh, I.A.S.,

Roc.No. C2/8196/2018

Dated: 21.05.2018

Sub: PROMULGATION OF ORDER U/S 144 Cr.P.C-
Thoothukudi District - Protest by Sterlite Ethirppu
Thoothukudi Maavatta Makkal Koottamaippu on
22.05.2018 - Law and Order - Order under Sec.144
of Cr.P.C issued.

- Ref: 1) Representation dated: 09.04.2018 and 16.04.2018
given by General Manager, (Legal) Sterlite Copper,
Thoothukudi.
- 2) The order of Hon'ble Madurai bench of the Madras
High Court in W.P(MD) No. 11190 of 2018 and W.P.
(MD) Nos. 10218 and 10219 of 2018 dated
18.05.2018.
- 3) Letter No. C. No. 194- 8/X/SB/TUT/2018 dated
21.05.2018 from SP, Thoothukudi.

WHEREAS in the reference 1st cited, the General Manager(Legal),
Sterlite Copper, Thoothukudi had given a representation stating that
inflammatory messages have been circulating in various social media
platforms against the Sterlite Copper Industries (P) Ltd., Thoothukudi.
This may lead to unrest and disturb the peace and tranquility in the area
and endanger the safety of the industry and its employees. And that there
have been instances of violence and unlawful gatherings right in front of
the factory premises. It was also stated that the company also received
information from several reliable sources that plans to sabotage the
company as well as to create insecurity in the minds of the employees are
underway;

2) WHEREAS it was also stated that, in light of the above mentioned
incidents and occurrences, they apprehend grave physical harm to their
employees and the factory premises by instigation through inflammatory
messages and propaganda. He further stated that their factory premises
have several sophisticated and very expensive equipment and machinery
and any mishandling or disruption of these equipment and machinery has
the potential of causing irreparable loss and damage;

3) WHEREAS in view of the above, in their representation, she has
requested for the imposition of prohibitory orders under Section 144 of
the Cr.P.C for 500 meters around Copper Smelter and Thermal Power
Plant factory premises including Tamira - 1 and Tamira 2 (Residential
Complexes) for a period of 2 months;

4) WHEREAS further the company approached the Hon'ble Madurai Bench of the Madras High Court seeking a direction to the District Collector to impose Prohibitory orders u/s 144 of CrPC. The Hon'ble Court in its order in W.P.(MD) Nos. 11190, 10218 and 10219 of 2018 dated 18.05.2018 stated that "the proposed protest on 22.05.2018 is likely to trigger a law and order situation and invoking section 144 of CrPC would be highly recommended in public interest". The Hon'ble Court also directed the District Collector to pass appropriate orders considering the representations of the company dated 9th and 16th of April 2018;

5) WHEREAS the Superintendent of Police, Thoothukudi in his Letter No. C. No. 194- 8/X/SB/TUT/2018 dated 21.05.2018 stated the following.

"Urging to ban Sterlite Industry etc., the members of Anti Sterlite Movement, inhabitants of Sterlite surrounding villages, Thoothukudi Town, various Political Parties, Merchant's Assn., Fishermen Assn., Students and other organizations have proposed to stage siege agitations on 22.05.2018 at District Collector Office, Thoothukudi which will severely affect the functioning of District Headquarters and further they are planning to continue the agitation until the closure of the plant."

6) WHEREAS the following was also stated in the letter.

"Apart from this, villagers of 13 surrounding villages/ areas around Sterlite Industries and in Thoothukudi Town viz., are resorting to 'Indefinite Waiting Agitations' in this regard."

7) WHEREAS the following was further stated in the letter from Superintendent of Police, Thoothukudi.

"Further, it is reliably learnt that some miscreants are planning to utilize the opportunity to instigate violence and create Law and Order problem. Under such circumstances, even a minor incident may snowball into a major clash with serious impact on the law and order situation in Thoothukudi and nearby Districts. Moreover, this will not be limited to this District alone as the past experience suggests.

Therefore, considering the above facts, in order to maintain public peace and tranquility, it is requested to promulgate orders under section 144 Cr.P.C., prohibiting the assembly of 5 or more persons or processions or Bicycle/ two wheeler/ four wheeler rallies coming with objectionable materials like sword / lathi / knives / stones/ Party or Communal flags etc., entering into Thoothukudi District from other districts in all types of vehicles carrying volunteers intending to participate in the agitation, except with the prior permission of the District Magistrate from 0800 PM on 21.05.2018 to 0800 AM on 23.05.2018. Regular stage carriages, Tourist vehicles that ply to other places through the district, Goods carriages, vehicles carrying essential

commodities, regular omni buses may be expressly exempted.

Hence, it is requested that these prohibitory orders may be promulgated throughout the District in the interests of maintenance of public order, peace and tranquility from 0800 PM on 21.05.2018 to 0800 AM on 23.05.2018.”;

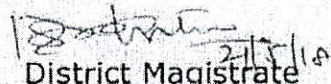
8) WHEREAS the 'Muttrukai Porattam' has been proposed to be conducted within SIPCOT Police Station Limits. It is reliably learned that most of the mobilization for the agitation will happen in SIPCOT police station and Thoothukudi South police station limit;

9) AND WHEREAS emergent circumstances do not permit the serving of notice to the parties concerned, necessitating this order to be passed ex-parte as per proviso 144(2) CrPC;

10) NOW THEREFORE with a view to maintain law and order, and to avoid disturbance of public tranquility, I do hereby, promulgate an order under Section 144 Cr.P.C., in SIPCOT and Thoothukudi South police station limits prohibiting any public meeting or assembly of five or more persons or processions, for a period from 2200 hrs on 21.05.2018 to 0800 hrs on 23.05.2018 and also prohibit entry of all type of vehicles carrying persons intending to participate in 'Muttrukai Porattam' on 22.05.2018 to, and within, SIPCOT and Thoothukudi South police station limits. This order does not apply to regular stage carriages, tourist vehicles plying to other places, goods carriages, vehicles carrying students to schools/colleges, vehicles carrying essential commodities, regular omni buses, etc. This order does not apply to public gatherings that are taking place with the permission of competent Police authorities and if anyone requires special exemption, they may apply to Superintendent of Police, Thoothukudi with required details.

11) This order u/s 144 CrPC will be in force in the entire jurisdictions of Thoothukudi South and SIPCOT police stations.

Given under my hand and seal on this day of 21st May 2018 at Thoothukudi.


District Magistrate
and
District Collector,
Thoothukudi

To

1. The concerned (Through the Superintendent of Police, Thoothukudi.)
2. The Superintendent of Police, Thoothukudi.
3. The Sub Divisional Magistrate and Sub Collector, Thoothukudi
4. The Sub Divisional Magistrate and Revenue Divisional Officer, Kovilpatti and Tiruchendur

5. All Taluk Executive Magistrate and Tahsildar, Thoothukudi District (for necessary action)
6. All Deputy Superintendent of Police, Thoothukudi District. (Through the Superintendent of Police, Thoothukudi)

Copy submitted to:

The Principal Secretary to Government,
Public (L&O-C) Department,
Secretariat, Chennai-9

// True Copy //

[Signature] 29/6/18
PERSONAL ASSISTANT
(General) TO COLLECTOR
THOOTHUKUDI DISTRICT
THOOTHUKUDI

[Signature]
29/6/18