



W.P(MD)Nos.24337, 13620 to 13626 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)Nos.24337, 13620 to 13626 of 2023

P.Mohanraj	... Petitioner(s)
	in WP(MD)No.24337/2023
Stalin Arockiaraj	... Petitioner(s)
	in WP(MD)No.13620/2023
A.Charles	... Petitioner(s)
	in WP(MD)No.13621/2023
Maruthanayagam	... Petitioner(s)
	in WP(MD)No.13622/2023
I.Krishnamurthy	... Petitioner(s)
	in WP(MD)No.13623/2023
A.Lourduraj	... Petitioner(s)
	in WP(MD)No.13624/2023
Vinojkumar	... Petitioner(s)
	in WP(MD)No.13625/2023
G.Mahalingam	... Petitioner(s)
	in WP(MD)No.13626/2023

VS.

1. V.K.N. Industries,
Thuvakudi,
Represented by its Partners
V.K.N. Raja



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WEB COPY 2. V.K.N.Kalyanasundaram

3. V.K.N.Narayanan

... Respondent(s)
(in all petitions)

COMMON PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records of the Presiding Officer, Labour Court, Tiruchirappalli in C.P. Nos.12, 8, 15, 9, 13, 14, 7, 17/2019, dated 21.11.2022 and quash the same as illegal and direct the respondents to pay the claim amount of Rs.2,25,231/-, Rs.3,32,731/- , Rs.2,40,067/-, Rs.2,28,462/- , Rs.64,923/-, Rs. 1,96,154/-, Rs.3,34,615/-, Rs.1,25,462/- with 6 percent interest as claimed by each of the petitioners.

For Petitioner : Mr. S.Muthukrishnan (in all petitions)

For R1 : Mr.K.S.Vamsidhar (in all petitions)

COMMON ORDER

Challenging the award dated 21.11.2022 passed by the Labour Court, Tiruchirappalli, the petitioners have filed the present writ petitions.

2. The petitioners claim that they were employees of the respondent Company and had each put in more than 20 years of service. According to them,

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the respondent failed to pay wages for a period of four months, annual increments for several years, bonus and Provident Fund contributions. Claiming that the said amounts had accrued to them, the petitioners filed a Computation Petitions under Section 33-C(2) of the Industrial Disputes Act, 1947. The Labour Court, on appreciation of the materials available on record, dismissed the claim petitions holding that the petitioners had failed to establish the employer-employee relationship with the second respondent and that there was no pre-existing or accrued right capable of computation under Section 33-C(2) of the Industrial Disputes Act. Aggrieved by the said order, the present Writ Petitions have been filed.

3. The learned counsel appearing for the petitioners submitted that the respondent Company had issued identity cards to the petitioners, which clearly establish that they were employees of the respondent. It was further submitted that the petitioners were unlawfully denied wages, annual increments for several years, bonus and Provident Fund contributions, all of which constitute accrued benefits. Therefore, according to the learned counsel, the petition under Section 33-C(2) of the Industrial Disputes Act was maintainable and the Labour



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WEB COPY Court erred in dismissing the same.

4. Per contra, the learned counsel appearing for the respondents submitted that the petitioners have not established the foundational fact of an employer-employee relationship. Mere production of identity cards cannot, by itself, conclusively establish such employee-employer relationship, particularly when the person who had issued or signed the identity cards was no longer connected with the respondent Company. It was further contended that, in the absence of proof of employment, the petitioners cannot invoke the jurisdiction under Section 33-C(2) of the Industrial Disputes Act. The learned counsel also submitted that any claim relating to bonus or Provident Fund has to be pursued before the competent authorities constituted under the Payment of Bonus Act and the Employees' Provident Funds and Miscellaneous Provisions Act respectively, and not by way of a petition under Section 33-C(2). Accordingly, he prayed for dismissal of the Writ Petition.

5. This Court has considered the rival submissions and perused the materials available on record.



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6. A proceeding under Section 33-C(2) of the Industrial Disputes Act is in the nature of an execution proceeding and can be invoked only for computation of a pre-existing and adjudicated or otherwise accrued right. In the present case, the petitioners have failed to establish the existence of an employer-employee relationship with the respondent Company. Mere production of identity cards, without any corroborative evidence, is insufficient to conclusively prove such relationship. Consequently, the claim for wages, increments and other service benefits cannot be entertained under Section 33-C(2) of the Industrial Disputes Act.

7. Insofar as the claims relating to bonus and Provident Fund contributions are concerned, the petitioners have an effective statutory remedy before the authorities constituted under the respective enactments. It is open to the petitioners to approach the competent authorities under the Payment of Bonus Act and the Employees' Provident Funds and Miscellaneous Provisions Act for redressal of their grievances, in the manner known to law.



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8. Accordingly, finding no infirmity in the order passed by the Labour Court, these writ petitions are dismissed. However, liberty is granted to the petitioners to work out their remedies before the competent authorities under the relevant statutes, if so advised. No costs.

29.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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