



W.P(MD)No.20568 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.20568 of 2023

and

W.M.P.(MD).Nos.16986 and 16988 of 2023

1.Kalairajan

2.C.Meenakshi

... Petitioners

Vs

1.The Joint commissioner of Labour,
Bharathi Ula Salai, Race Course Colony,
Madurai.

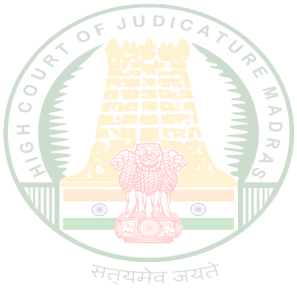
2.The Assistant Inspector of Labour,
Aruppukkottai, Virudhunagar District.

3.J.Uma Maheswaran,
The Assistant Inspector of Labour,
Aruppukkottai,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings under Minimum Wages Act Case in M.W.No.217 of 2023 (Aa1/46042023) on the file of the first respondent and quash the same.

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For Petitioners : Mr.B.Vijay Karthikeyan

For R-1 and R-2 : Mrs.K.R.Shivashankari, Counsel for State

For R-3 : No Appearance

ORDER

This Writ Petition has been filed challenging the impugned proceedings in M.W. No.217 of 2023 (Aa1/4604/2023) on the file of the first respondent under the provisions of the Minimum Wages Act.

2. Heard the learned counsel appearing for the petitioners and the learned counsel for State appearing for the official respondents.

3. The learned counsel appearing for the petitioners would submit that the petitioners are the Campus Officer and Principal of an educational institution running various schools. The second respondent has filed a claim petition under Section 22 of the Minimum Wages Act before the first respondent in M.W. No. 217 of 2023, pursuant to which the impugned show cause notice has been issued



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to the petitioners. Challenging the said show cause notice, the present writ petition has been filed. The learned counsel for the petitioners would further submit that as per G.O.(2D) No.61, Labour and Employment (J1) Department, dated 26.06.2018, relating to the revision of minimum rates of wages for employees in Primary English Medium Schools, the minimum wages prescribed for the post of Watchman in Zone-C is Rs.5,367/-. However, based on the inspection conducted by the Assistant Inspector of Labour, Aruppukkottai, the minimum wages for the designation Security has been taken as Rs.7,283/-, which is contrary to the aforesaid Government Order. It is further submitted that the Government Order does not contemplate any post designated as "Security" and recognizes only the post of "Watchman". Therefore, according to the petitioners, the fixation of wages suffers from an apparent anomaly and the impugned proceedings are liable to be interfered with.

4. Per contra, the learned counsel appearing for the official respondents would submit that the second respondent has filed a complaint under Section 22 of the Minimum Wages Act before the first respondent and the proceedings are still pending. The impugned communication is only a show cause notice. If the



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petitioners have any objection with regard to the applicability of the Government Order, the designation of the employee, or the quantum of minimum wages proposed to be fixed, it is always open to the petitioners to place all such objections before the first respondent. Without exhausting the statutory remedy available before the authority, the petitioners have prematurely approached this Court challenging the show cause notice, which is not maintainable.

5. This Court has considered the submissions made on either side.

6. Admittedly, the proceedings initiated by the first respondent are only at the stage of issuance of a show cause notice. It is well settled that ordinarily a writ petition challenging a show cause notice is not maintainable unless the notice has been issued without jurisdiction or in violation of the statutory provisions. In the present case, the petitioners have raised certain factual as well as legal objections with regard to the designation of the employee and the applicability of G.O.(2D) No.61, Labour and Employment (J1) Department, dated 26.06.2018. Such issues can very well be agitated before the first respondent, who is the competent authority to adjudicate the claim under Section 22 of the Minimum



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Wages Act. Therefore, this Court is not inclined to interfere with the impugned show cause notice. However, liberty is granted to the petitioner to submit a detailed explanation together with all supporting documents before the first respondent, who shall consider the same and pass appropriate orders on merits and in accordance with law, after affording due opportunity to all the parties.

7. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

16.07.2026

NCC : Yes / No
Index : Yes / No
TSG

To

1.The Joint commissioner of Labour,
Bharathi Ula Salai, Race Course Colony,
Madurai.

2.The Assistant Inspector of Labour,
Aruppukkottai, Virudhunagar District.



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M.DHANDAPANI, J.

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