



W.P.Nos.7785 & 7786 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.7785 & 7786 of 2017
and
W.M.P.Nos.8528 & 8529 of 2017

The Managing Director,
Tamil Nadu State Marketing Corporation,
Thalamuthu Natarasan Maaligai,
Gandhi Irwin Salai,
Egmore, Chennai – 600 008.

... Petitioner in both WPs

Vs.

1.The Presiding Officer,
1st Additional Labour Court,
Chennai – 600 104.

2.Kannan
3.Viswanathan
4.Rama Sankarasubramanian
5.Nalliah
6.Selvam
7.Ganapathy Raman
8.Karuppusamy
9.Subramani
10.Mahaboob Basha
11.Murugan
12.Natarajan
13.Nagarajan



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- 14.Kamatchi
- 15.Ravichandran
- 16.Murugan
- 17.Murugesan
- 18.Maruthachalam
- 19.Kumar
- 20.Raja
- 21.Ravichandran
- 22.Elangovan
- 23.Prakash
- 24.Karthikeyan
- 25.Balasubramaniyan
- 26.Valathy
- 27.Selvam
- 28.Madhu
- 29.Thandapani
- 30.Pandi
- 31.Chandran
- 32.Ramanathan
- 33.Murugesan
- 34.Mariappan
- 35.Sundara Mahalingam
- 36.James De Rosy
- 37.Prabhakaran
- 38.Isakiappan
- 39.Gaja Mohamed Isrudin
- 40.Senthil Arumugam
- 41.Kasiraman
- 42.Raviselvan
- 43.Sasi
- 44.Ghouse Basha
- 45.Beer Mohideen
- 46.Mani
- 47.Ravichandran
- 48.Prabhakaran
- 49.Kovarthanan
- 50.Elumalai



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- 51.Nedunchezian
- 52.Ramadoss
- 53.Ramachandran
- 54.Purushothaman
- 55.Paramanantham
- 56.Saravanan
- 57.Ekambaram
- 58.Moorthy
- 59.Mahendran
- 60.Dhanapal
- 61.Ravi
- 62.Sathiyamoorthy
- 63.Manivannan
- 64.Sasikumar
- 65.Thirumoorthy
- 66.Selvam
- 67.Ramesh
- 68.Murugan
- 69.Ganesan
- 70.Chinna Anthony
- 71.Natarajan
- 72.Govindaraj
- 73.Abdul Subaan
- 74.Murugesan
- 75.Eswaran
- 76.Selvaraj
- 77.Arumugam
- 78.Manickam
- 79.Rajkumar
- 80.Lakshmanan
- 81.Murugesan
- 82.Venkatachalam
- 83.Chandrasekaran
- 84.Rajagopalan
- 85.Srikumaran
- 86.Sasikumar
- 87.Mani



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WEB COURT

- 88.Lakshmi Narayanan
- 89.Murugan
- 90.Mariyadoss
- 91.Liyons
- 92.Kanagaraj
- 93.Babu
- 94.Denciyar
- 95.Mariya Arputham
- 96.Mohandoss
- 97.Radhakrishnan
- 98.Ashokkumar
- 99.Ramu
- 100.Marimuthu Pillai
- 101.Ravi
- 102.Muthuswamy
- 103.Duraiaraj
- 104.Sukumar
- 105.Sasikumar
- 106.Sambasivam
- 107.Venkatesan
- 108.Chandrasekar
- 109.Arumugam
- 110.Prakashkumar

... Respondents in W.P.No.7785 of 2017

C/o.Tasmac Oozhiyar Maanila Sammelanam,
No.27, Mosque Street,
Chepauk, Chennai – 600 005.

1. The Presiding Officer,
1st Additional Labour Court,
Chennai – 600 104.
2. Selvam
3. Sankarasubbu
4. Kulanthai Velu
5. Suresh



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6. Mariappan
7. Senthil Velayutham
8. Kuppusamy
9. Marimuthu
10. Marimuthu
11. Venkatesan
12. Jeyapal
13. Karuppiah
14. Ramasamy
15. Manivel
16. Kumar
17. Manikandan
18. Muruganandam
19. Ganesan
20. Selvakumar
21. Guruvayurappan
22. Arunachalam
23. Udayakumar
24. Senthilkumar
25. Muthiah
26. Mohanraj
27. Jeyakumar
28. Sivakumar
29. Subbiah
30. Vijayakumar
31. Naiyanaar
32. Anandhakumar
33. Dharman
34. Muthukumar
35. Selvan
36. Muruganandam
37. Periasamy
38. Shanmugasundaram
39. Ramasamy
40. Panneerselvam
41. Paramasivan
42. Rameshkumar



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43. Arasakumaran
44. Sethu
45. Maruthachalam
46. Ramasamy
47. Muthusamy
48. Muruganandam
49. Vasuden
50. Mohamed Ibrahim
51. Harikrishnan
52. Senthilkumar
53. Balamurugan
54. Ramesh Babu
55. Senthil Kumar
56. Rajan
57. Manickaraj
58. Venkatachalam
59. Thennarasu
60. Prabhu
61. Magesh
62. Sudhakar
63. Lakshmanapandian
64. Muthukumar
65. Dhanapal
66. Kanthakumar
67. Mariappan
68. Saravanan
69. Subramanian
70. Jegan
71. Sankara Narayanan
72. R. Padmanathan
73. Vadivelu
74. Rajendran
75. Shanmugaiya Pandian
76. Vijaykumar
77. Karupusamy
78. Loganathan
79. Ramesh Gandhi



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- 80.Megeshwaran
- 81.Shanmugananthan
- 82.Rajasekaran
- 83.Shanmugam
- 84.Muthazhagu
- 85.Nagarajan
- 86.Arulraj
- 87.Rajesh Kanna
- 88.Subramanian
- 89.Prakash
- 90.Settu
- 91.Raman
- 92.Sridharan
- 93.Rajamani
- 94.Selvakumar
- 95.Durai
- 96.Sundarraaj
- 97.Pandi Vishnu Prasad
- 98.Ramalingam
- 99.Murugesan
- 100.Senthil Kumar
- 101.Mokkamayan
- 102.Dineshkumar
- 103.Asaithambi
- 104.Senthilkumar
- 105.Murali
- 106.Velusamy
- 107.Paranthaman
- 108.Senthilkumar
- 109.Moorthy
- 110.Ganesan
- 111.Sudarasekar
- 112.Krishnan
- 113.Moorthi
- 114.Muthumaheswaran
- 115.Paramasivam
- 116.Durai Manickam



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117. Shanmugasundaram
118. Anandan
119. Ashokkumar
120. Shanmugasundaram
121. Babu
122. Murthy
123. Rajapandi
124. Muniyasamy
125. Murugesan
126. Selvakumar
127. Muthusamy
128. Muthusankar Kumar
129. Jagatheesh
130. Periyasamy
131. Jegan
132. Datchinamoorthy
133. Dharmarajan
134. Perumal
135. Kaliaperumal
136. Selvakumar
137. Baskar
138. Govindaraj
139. Selvaganesh
140. Manoharan
141. Sajeess
142. Subramanian
143. Annadurai
144. Muthumurugan
145. Ganapathy Subramanian
146. Muthusami
147. Anthony Nikolas
148. Sakthivel
149. Azhagu Manikandan
150. Dhandapani
151. Chellappan
152. Ravikumar
153. Jawahar



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WEB COPY

- 154.Ramar
- 155.Selvarasu
- 156.Sundarabharthi
- 157.Marisamy
- 158.Gavaskar
- 159.Bhoopalan
- 160.Zaheer Hussain
- 161.Velmurugan
- 162.Ramamurthy
- 163.Kasirajan
- 164.Mahendran
- 165.Muthupandi
- 166.Shanmugaraj
- 167.Saravana Kumar
- 168.Paramasivam
- 169.Solomon Raja
- 170.Saravanan
- 171.Ganapathy
- 172.Hari Gopal
- 173.Balamurugan
- 174.Baskaran
- 175.Raji
- 176.Kumaresan
- 177.Samuvel Jebarasi
- 178.Saravanan
- 179.Mariappan
- 180.Balaji
- 181.Mohamed Ibrahim Basha
- 182.Murugesan
- 183.Chinnasamy
- 184.Ramachandrdan
- 185.Sundaram
- 186.Nagarajan
- 187.Ramu
- 188.Jeyachandran
- 189.Selvakumar
- 190.Rajkumar



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- 191.Kamaraj
192.Natarajan
193.Karunakaran
194.Ramachandran
195.Ganesh
196.Subbiah Pandian
197.Mariappan
198.Poarameshwaran
199.Shanmugasundaram
200.Parasuraman
201.Thangarasu
202.Dhinakaran
203.Krishnamoorthy
204.Babu
205.Gandhi Murugan
206.Suresh
207.Senthilvel Murugan
208.Gunasekaran
209.Vijayasekar
210.Ramamoorthy
211.Rajasekar
212.Murali
213.Bharathi
214.Parameshwaran
215.Anbzhagan
216.Soundrarajan
217.Dharani
218.Sureshbabu
219.Shankar
220.Enthiappan
221.Subramani
222.Balamurugan
223.Rajendran
224.Raji
225.Lakshmikanthan
226.Ashok Kumar
227.Ramakrishnan



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WEB.COM

- 228.Manikandan
- 229.Santhirarasu
- 230.Samidurai
- 231.Mariappan
- 232.Arun
- 233.Chinnathambi
- 234.Sivalingam
- 235.Jaishankar
- 236.Aadishankar
- 237.Jeyaseelan
- 238.Pugazhendi
- 239.Maharaja
- 240.Velladurai
- 241.Murugan
- 242.Yuvaraj
- 243.Arjunan
- 244.Jeyakumar
- 245.Prabhu
- 246.Ravichandran
- 247.Chandru
- 248.Vijayakumar
- 249.Marimuthu
- 250.Kumaresan
- 251.Kanakaraj
- 252.Deivanayagam
- 253.Anandakumar
- 254.Ponraj
- 255.Prakash
- 256.Thirupathi
- 257.Manikandan
- 258.Tamizhselvan
- 259.Kalaignar
- 260.Velmani
- 261.Mariappan
- 262.Krishnamoorthy
- 263.Senthil Kumar
- 264.Muruganandam



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- 265.Saravan
- 266.Paramesan
- 267.Nandakumar
- 268.Vaidhinasamy
- 269.Nandhakumar
- 270.Subramani
- 271.Ramu
- 272.Ramesh
- 273.Senthil Kumar
- 274.Rajendran
- 275.Kumaran
- 276.Vijayakumar
- 277.Magesh
- 278.Haribabu
- 279.Arumugam
- 280.Manikandan
- 281.Viji
- 282.Manikandan
- 283.Sathish
- 284.Nagaraj
- 285.Suresh
- 286.Mani
- 287.Sivakumar
- 288.Sankaran
- 289.Joseph Stalin
- 290.Anandakumar
- 291.Manoj Kumar
- 292.Rajesh Kannan
- 293.Chinnaiyan
- 294.Sankaran
- 295.Sankar Ganesh
- 296.Muralidharan
- 297.Devaraj
- 298.Sivakumar
- 299.Vasanthakumar
- 300.Navin Chandran
- 301.Ramesh



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WEB COPY

- 302.Murugan
- 303.Vinod
- 304.Mahendran
- 305.K.Sasikumar
- 306.Mahesh
- 307.Chandrasekar
- 308.Shanmugam
- 309.Rajan
- 310.Immanuvel Dilimoon
- 311.Kumar
- 312.Murugan
- 313.Murugan
- 314.Thangamuniyandi
- 315.Vidhyasekaran
- 316.Saravanan
- 317.Pandiaraj
- 318.Arokiasamy
- 319.Balagopalan
- 320.Ravikumar
- 321.Chandran
- 322.Marimuthu
- 323.Balasubramanian
- 324.Radhakrishnan
- 325.Arumugam
- 326.Baskaran
- 327.Selvakumar
- 328.Elaiyaran
- 329.Saravana Kumar
- 330.Lenin Krishnan
- 331.Chakkarai Pandian
- 332.Achutha Menon
- 333.Muthu Krishnan
- 334.Kaleshwaran
- 335.Sridharan
- 336.Sivabalan
- 337.Muniyamuthuraj
- 338.Gowri Narayanan



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- 339.Mahendran
- 340.Muthumariappan
- 341.Elayaraja
- 342.Chandran
- 343.Muthuvel
- 344.Uthandarajan
- 345.Thangavelu
- 346.Thangaraj
- 347.Muruga Rajeshwaran
- 348.Thiruselvanayagam
- 349.Gunasekaran
- 350.Karikalan
- 351.Senthil Kumar
- 352.Shanmugam
- 353.Karthikeyan
- 354.Rajesh Kanna
- 355.Velmurugan
- 356.Arul
- 357.Shanmugam
- 358.Kamaraj
- 359.Ramesh
- 360.Saravanakumar
- 361.Jacob Amarprakash
- 362.Raja
- 363.Gavaskar
- 364.Selvakumar
- 365.Ramesh
- 366.Balamurugan
- 367.Raju
- 368.Sajikumar
- 369.Vijayakumar
- 370.Murugan
- 371.Xavier
- 372.Allosias Kinson
- 373.Vijayaraj
- 374.Davidraj
- 375.Kaliaperumal



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376. Joseph Pepin
377. Rasakumar
378. Viji
379. Velmurugan
380. Jayakumar
381. Karthikeyan
382. Narayanasamy
383. Muthu Murugan
384. Tamilvannan
385. Babu
386. Marimuthu
387. Iyyappan
388. Chinna Koodandi
389. Velmurugan
390. Pandiaraj
391. Muthuraj
392. Karuppasamy
393. Raja
394. Sudalaimuthu
395. Natarajan
396. Vasudevan
397. Muthuramalingam
398. Balasubramanian
399. Senthilkumar
400. Kathirvel
401. Jeyaprakash
402. Manokaran
403. Kumar
404. Panneerselvam
405. Udaiyaar
406. Thirugnanasambantham
407. Maridurai
408. Amalraj
409. Vivekanandan
410. Devidayal Pillai
411. Mathazhagan
412. Subramanian



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- 413.Arumugam
- 414.Subbaraju
- 415.Chidambaram
- 416.Muthuraj
- 417.Vijayakumar
- 418.Rajagopal
- 419.Balakrishnan
- 420.Sadasivam
- 421.Dhanasekaran
- 422.Dharmaraj
- 423.Kanna
- 424.Venugopal
- 425.Rajasekaran
- 426.Sekar
- 427.Murugan
- 428.Sudalai
- 429.Madasamy
- 430.Sivakumar
- 431.Somasundaram
- 432.Muniyasamy
- 433.Mutharasan
- 434.Prabhakaran
- 435.Kannan
- 436.Soundararajan
- 437.Chandrasekar
- 438.Issaki
- 439.Bakiaraj
- 440.Kalaiselvan
- 441.Ventakesan
- 442.Sivasakthi
- 443.Sakthivel
- 444.Panneerselvam
- 445.Selvarasu
- 446.Sakthivel
- 447.Annamalai
- 448.Ravikumar
- 449.Kumar



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- 450.Achuthan
- 451.Chakkaravarthy
- 452.Vijayakumar
- 453.Ramesh
- 454.Senthil
- 455.Murugan
- 456.Iyyasamy
- 457.Kumar
- 458.Krishnamoorthy
- 459.Poonamablam
- 460.Chennakrishnan
- 461.Panneerselvam
- 462.Rajendran
- 463.Selvaraj
- 464.Prakash
- 465.Krishnamoorthy
- 466.Ravindran
- 467.Sivakumar
- 468.Devakumar
- 469.Elumalai
- 470.Vijayakumar
- 471.Elumalai
- 472.Ravi
- 473.Gubendiran
- 474.Viswanathan
- 475.Nagarajan
- 476.Sujgnanam
- 477.Sivakumar
- 478.Dhanancheyan
- 479.Kamaraj
- 480.Balamurugan
- 481.Periyanna
- 482.Sundaramoorthy
- 483.Ramachandran
- 484.Sivakumar
- 485.Manimaran
- 486.Nagarajan



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- 487.Arumugam
- 488.Murugesan
- 489.Senthamaraikannan
- 490.Prathapan
- 491.Chellakutty
- 492.Mariappan
- 493.Muthumariappan
- 494.Kandaswamy
- 495.Senthilnathan
- 496.Chellasamy
- 497.Chellappa
- 498.Murugesan
- 499.Ganesan
- 500.Krishnamoorthy
- 501.Dhamendiran
- 502.Annadurai
- 503.Jeyakumar
- 504.Saravanan
- 505.Ramesh
- 506.Senthilkumar
- 507.Jeyaraman
- 508.Vasanthakumar
- 509.Ramachandran
- 510.Gopalakrishnan
- 511.Marimuthu
- 512.Stephen Pankraj
- 513.Suresh Babu
- 514.Krishnamoorthy
- 515.Elangovan
- 516.Lakshnanan
- 517.Sivamani
- 518.Mohandoss
- 519.Mahendran
- 520.Rajasekaran
- 521.Manikandan
- 522.Gurumoorthy
- 523.Ayil Raj



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524. Manimaran
525. Kannan
526. Manoharan
527. Senthilkumar
528. Sankaramoorthy
529. Saravanakumar
530. Panneerselvam
531. Mahadevan
532. Ashokkumar
533. Dhanapalan
534. Sathishkumar
535. Ashok Kumar
536. Girish Kumar
537. Anandan
538. Sivakumar
539. Ganasekaran
540. Azhagarsamy
541. Babu
542. Jeyaraman
543. Sakthivel
544. Rasappa
545. Ramadoss
546. Karthikeyan
547. Selvakumar
548. Azhagarsamy
549. Udayakumar
550. Kathirvanan
551. Arokiaraj
552. Chakraties
553. Suresh Babu
554. Marimuthuselvan
555. Malaisamy
556. Suresh Babu
557. Velmurugan
558. Subramani
559. Viswanathan
560. Namachivayam



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- 561.Ravikumar
562.Premkumar
563.Nandakumar
564.Anandan
565.Prabhu
566.Fernandez
567.Ganesh
568.Mahendran
569.Jeyasakthi
570.Saravanan
571.Ashok Kumar
572.Senthil Kumar
573.Suresh Kumar
574.Ramesh
575.Ramakrishnan
576.Velliyangiri
577.Rajkumar
578.Murali
579.Murugan
580.Suresh
581.Thalaimuthu
582.Subbu
583.Rajakuttu
584.Sudalia
585.Saravanakumar
586.Senthilkumar
587.Ramaraj
588.Ramakrishnan
589.Karuppasamy
590.Chinnasamy
591.Kannan
592.Deveraj
593.Murugesan
594.Murugan
595.Angusamy
596.Manikandan
597.Manimuthu



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- 598.Balasubramani
- 599.Shanmugaiah
- 600.Kumar
- 601.Chandrasekaran
- 602.Murugan
- 603.Soundararajan
- 604.Nagaraj
- 605.Ramesh
- 606.Ganesamoorthi
- 607.Chelladurai
- 608.Saravanakumar
- 609.Kannan
- 610.Sureshkumar
- 611.Balamurugan
- 612.Dharmaraj
- 613.Senthilkumar
- 614.Yogarathinam
- 615.Gomathi Nayaga Pandian
- 616.Udayakumaaran
- 617.Periyasamy
- 618.Muthu
- 619.Mehendran
- 620.Muniappan
- 621.Devesenathipathi
- 622.Kumar
- 623.Mahalingam
- 624.Nataraj
- 625.Nehru
- 626.Ramesh
- 627.Karuppiayan
- 628.Sivakumar
- 629.Senthilkumar
- 630.Udayakumar
- 631.Selvanayagam
- 632.Ashokkumar
- 633.Pandi
- 634.Kandasamy



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- 635.Palanisamy
- 636.Sathishkumar
- 637.Krishnaraj
- 638.Thiyagu
- 639.Subramanian
- 640.Ramakrishnan
- 641.Shankar
- 642.Kumar
- 643.Loganathan
- 644.Pandian
- 645.Elangovan
- 646.Murugan
- 647.Murugesan
- 648.Vellaisami
- 649.Mahendraraj
- 650.Iyyapan
- 651.Rajesh
- 652.Dhinesh
- 653.Masanam
- 654.Rajendran
- 655.Kanna
- 656.Bhoopathy
- 657.Palavesam
- 658.Sekar
- 659.Bojan
- 660.Kamaraj
- 661.Anandan
- 662.Nethaji
- 663.Ali
- 664.Johnraj
- 665.Samynathan
- 666.Sankaramoorthy
- 667.Govindaraj
- 668.Rameshkumar
- 669.Edwin Jose
- 670.Jayaprakash
- 671.Saravanan



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- 672.Kaliyamurthy
673.Kanivannan
674.Rajakumar
675.Rajan
676.Sureshkumar
677.Selvam
678.Tamilvanan
679.Vijayabaskaran
680.Arjunan
681.Sivakumar
682.Chithirakumar
683.Jeyaraj
684.Nallamuthu
685.Vanniyarajan
686.Perumal
687.Sakthivel
688.Kanagarasan
689.Chandrasekaran
690.Mohan
691.Vijayakanth
692.Natparasan
693.Karthikeyan
694.Manoharan
695.Kannan
696.Mehesh
697.Ravichandran
698.Vasudevan
699.Vijayakumar
700.Baladhandayutham
701.Dhinakaran
702.Manoharan
703.Selvakumar
704.Seetharaman
705.Jeeva
706.Raja
707.Ramesh
708.Raja



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- 709.Saravanan
710.Mahesh
711.Krishnamoorthy
712.Lalkumar
713.Krishnan
714.Ovureddy
715.Poolpandian
716.Senthilkumar
717.Muthupandi
718.Kumar
719.Ravichandran
720.Arunachalakani
721.Pichaipandian
722.Kannan
723.Krishnasamy
724.Sevugaperumal
725.Sakthivel
726.Ramakrishnan
727.Ashok Kumar
728.Balasubramanian
729.Ashok Kumar
730.Senthilkumaran
731.Veerabathiran
732.Karuppasamy
733.Karuppasamy
734.Ramasubbu
735.Murugan
736.Pon Karuppasamy
737.Mayilyeri
738.Prathisan
739.Maruthamuthu
740.Mariappan
741.Balasubramanian
742.Natarajan
743.Boominathan
744.Balakrushnakumar
745.Raj Kumar



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- 746.Ravichandran
747.Dharmarajan
748.Ramesh
749.Sundaramoorthy
750.Kumar
751.Ravichandran
752.Sekar
753.Palanivel
754.Ravindran
755.Charles
756.Pannerselvam
757.Subramanian
758.Rathinakumar
759.Murugaian
760.Ravichandran
761.Dakshinamoorthy
762.Muruganandam
763.Jawaharlal
764.Muthukrishnan
765.Iyyanar
766.Ranjith
767.Mariappan
768.Manivasagan
769.Palanisamy
770.Murugesan
771.Shanthi Rajan
772.Swaminathan
773.Ramakrishnan
774.Duraimurugan
775.Sivakumar
776.Karthikeyan
777.Saravanaperumal
778.Kathiresan
779.Veerababu
780.Chellapandi
781.Appusamy
782.Nagore



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- 783.Senthilkumar
- 784.Ramachandran
- 785.Kumar
- 786.Senthilkumar
- 787.Dharmraj
- 788.Kumarasamy
- 789.Karthikeyan
- 790.Ravanan
- 791.Balasundaram
- 792.Karthikeyan
- 793.Iyyannan
- 794.Selvamani
- 795.Srinivasan
- 796.Chinnannan
- 797.Sureshkumar
- 798.Dhanvel
- 799.Rajakannan
- 800.Balakrishnan
- 801.Kamaraj
- 802.Rajmohan
- 803.Dhandapani
- 804.Chellappan
- 805.Arunachalam
- 806.Chinnappan
- 807.Rajan
- 808.Pandian
- 809.Thangasami
- 810.Mariappan
- 811.Muthuramalingam
- 812.Dhanapalan
- 813.Sakthivel
- 814.Venkatachalam
- 815.Velmurugan
- 816.Soundarapandian
- 817.Elangovan
- 818.Marimuthu
- 819.Gopalakrishnan



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- 820.Samayadurai
821.Palpandi
822.Kasiraman
823.Kaleeshwaran
824.Sandanasamy
825.Ashokan
826.Gnanaraj
827.Poornachandran
828.Muppidathy
829.Ramarpandi
830.Duraipandian
831.Ganesan
832.Jayakumar
833.Anthonypichai
834.Satish
835.Chinnarasu
836.Siva
837.Sivakumar
838.Muniasamy
839.Kannan
840.Selvakumar
841.Selvan
842.Selvam
843.Senthurpandian
844.Surendiran
845.Samuthirarajan
846.John
847.Sundaravadivelu
848.Lenin
849.Venkatesaperumal
850.Teekaraman
851.Anandaraj
852.Srinivasan
853.Nagarajan
854.Velu
855.Murugan
856.Isakkipandi



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- 857.Arunachalam
858.Senthilkumar
859.Sampath
860.Chinnadurai
861.Murugan
862.Karikalan
863.Muthukumar
864.Sivakumar
865.Raghu
866.Hari
867.Sivakumar
868.Elango
869.Sivakumar
870.Belliraj
871.Ravikumar
872.Ravi
873.Muniyan
874.Mohan
875.Deenadayalan
876.Poonusamy
877.Muthukrishnan
878.Shanmugasundaram
879.Sakthivelmurugan
880.Saravanan
881.Anandhakuruvu
882.Ramesh
883.Sivanantham
884.Saravanakumar
885.Kanthankumar
886.Elaiyarasan
887.Deverajan
888.Moorthy
889.Bannari
890.Ravi
891.Chinnarasu
892.Kunmar
893.Senthilkumaran



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- 894.Prakasan
- 895.Palani
- 896.Devarajan
- 897.Narayanasamy
- 898.Anbu
- 899.Vijayan
- 900.Anamalai
- 901.Murugesan
- 902.Settu
- 903.Sakthi
- 904.Sekhar
- 905.Murugan
- 906.Manohar
- 907.Venkatachalam
- 908.Sivakumar
- 909.Chakkarapani
- 910.Vinodhkumar
- 911.Karthikeyan
- 912.Ramalingam
- 913.Karthikeyan
- 914.Varadharajan
- 915.Kamalakannan
- 916.Subramani
- 917.Malliraj
- 918.Kalimuthu
- 919.Velmurugan
- 920.Manikandan
- 921.Karuppasamy
- 922.Chinnadurai
- 923.Palpandi
- 924.Arumugam
- 925.Thirupathy
- 926.Mutchalajabaraj
- 927.Mohan
- 928.Esakinuthu
- 929.Ramachandran
- 930.Sureshkumar



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- 931.Ramshankar
- 932.Vellachamy
- 933.Naser
- 934.Sasikumar
- 935.Muthukumarasamy
- 936.Jeyabalakrishnan
- 937.Kannan
- 938.Selvanayagam
- 939.Murugaiya
- 940.Dinagaraj
- 941.Arulselvan
- 942.Kallandaperumal
- 943.Shanmugasundaram
- 944.Rajan
- 945.Sivakumar
- 946.Kamalakannan
- 947.Rajkumar
- 948.Veeramani
- 949.Dharmaraja
- 950.Murugesan
- 951.Marimuthu
- 952.Vijayakumar
- 953.Parthasarathy
- 954.Prabakaran
- 955.Anthony
- 956.Varadharajan
- 957.Perumal
- 958.Kamaraj
- 959.Saravanan
- 960.Anbalagan
- 961.Nambirajan
- 962.Babu
- 963.Srinivasan
- 964.Eswaran
- 965.Krishnamoorthy
- 966.Rathinagiri
- 967.Thamizhselvan



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968.Mohan
969.Mahalingam
970.Sekar
971.Senthilkumar
972.Dhanasekar
973.Saravanan
974.Panchatcharam
975.Kumar
976.Kumar
977.Prabhu
978.Periyasamy
979.Senthil
980.Mahadevan
981.Jeevarathinam
982.Balaji
983.Suresh
984.Ramesh
985.Velukumar
986.Vijayakumar
987.Balasundaram
988.Mekanathan
989.C.Ethiraj
990.Ramesh
991.Venkatesan
992.Dasappan
993.Vivekananthan ... Respondents in W.P.No.7786 of 2017
C/o.Tasmac Oozhiyar Maanila Sammelanam,
No.27, Mosque Street,
Chepauk, Chennai – 600 005.

Prayer in W.P.No.7785 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records of the impugned order in C.P.No.17 of 2021 vide CNR No.TNCHOE0002902020 dated 08.12.2022 on the file of learned II



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Additional Labour Court at Chennai and quash the same and consequently, to number the I.D. Sr.Rep.10 of 2023.

Prayer in W.P.No.7786 of 2017 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the order dated 02.07.2016 passed in C.P.Nos.653 to 734 of 2010, 736 to 913 of 2010, 1280 to 1347, 1349 to 1379 of 2011, 1400 to 1412 of 2011, 1414 to 1479, 1481 to 1619 of 2011, 1622 to 1644 of 2011, 1978 to 2338 of 2011, 542 of 2014, 549 of 2014, 551 to 556 of 2014, 560 of 2014, 569 of 2014, 571 to 586 of 2014, 588 of 2014, 592 to 595 of 2014 on the file of the 1st respondent/I Additional Labour Court, Chennai and quash the same.

For Petitioner : Mr.Sanjay Mohan
Senior Counsel
for M/s.K.Sathish Kumar

For Respondents : Court [R1]
Mr.Ajoy Khose
[R2 to R110 in W.P.No.7785 of 2017 &
R2 to R993 in W.P.No.7786 of 2017]

COMMON ORDER

Since the issue raised in both the writ petitions are one and the same, with the consent of the learned counsel appearing for both sides, these Writ Petitions were heard together and disposed of by this common order.



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2. The case of the petitioner Corporation is that, it is a Government Company registered under the provisions of the Companies Act and is wholly owned by the Government of Tamil Nadu. It is a marketing company and its main business is dealing in retail trade of Indian made Foreign Liquor. The private respondents/workmen have filed claim petitions under Section 33 (C)(2) of the Industrial Disputes Act, 1947 (in short 'the I.D. Act') before the first respondent claiming (i) difference amount between the actual pay paid to them and the minimum wages payable to them as fixed by the Government under the Minimum Wages Act, 1948 (in short 'MW Act') (ii) overtime wages for the work done by them in weekly days and in weekly holidays under the provisions of Tamil Nadu Shops and Establishments Act, 1947 (in short 'TNSE Act') and Minimum Wages Act, 1948 and (iii) double wages for the work done on National and Festival holidays under the provisions of Tamil Nadu Industrial Establishments (National and Festival Holidays) Act, 1953 for the periods from January, 2004 to December, 2009. Though the Labour Court rejected the claim made by the private respondents/workmen in respect of overtime wages and double wages for the work done on National and Festival holidays, however, the Labour Court awarded the



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minimum wages in favour of the private respondents/workmen.

Challenging the same, the petitioner Corporation filed the above writ petitions.

3. The learned Senior Counsel for the petitioner Corporation submitted that, though the Labour Court rejected the claim with regard to overtime wages and double wages for the work done on National and Festival holidays, however, the Labour Court awarded the minimum wages in favour of the private respondents/workmen, even though the MW Act is not applicable to the petitioner Corporation, which is not sustainable. If at all the private respondents/workmen wants to claim minimum wages, they have to approach the authority under Section 20 of the the MW Act. However, without approaching the competent authority under the MW Act, filing claim petition under Section 33C(2) of the I.D. Act is not sustainable.

4. Further, he submits that the claim petition can be filed under Section 33C(2) of the I.D. Act based on the existing rights. However, in the present, there is no existing right for claiming minimum wages, since



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the petitioner Corporation specifically took a plea before the Labour Court that the MW Act is not applicable to them. Even assuming that MW Act is applicable to the petitioner Corporation, however, the Industrial Tribunal have no jurisdiction to decide the issue and it is for the authority under the MW Act to take decision with regard to awarding minimum wages. In the present case, the first respondent, without jurisdiction decided the minimum wages between the petitioner Corporation and the private respondents/workmen, which is not sustainable. Accordingly, he prays for allowing these writ petitions.

5. On the above said contentions, heard the learned counsel appearing for the private respondents/workmen and perused the materials available on record.

6. Admittedly, the private respondents/workmen filed claim petitions under Section 33(C)(2) of the I.D. Act before the first respondent/Labour Court claiming difference amount between the actual pay paid to them and the minimum wages payable to them as fixed by the Government under the MW Act, overtime wages for the work done by



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them in weekly days and in weekly holidays under the provisions of TNSE Act and MW Act and double wages for the work done on National and Festival holidays under the provisions of Tamil Nadu Industrial Establishments (National and Festival Holidays) Act. Though the Labour Court rejected the claim in respect of overtime wages for the work done by them in National and Festival holidays, however, the Labour Court awarded the minimum wages in favour of the private respondents/workmen.

7. Now, the issue arises in these writ petitions is that whether the private respondents/workmen are entitled to minimum wages for the actual amount paid by them or the minimum wages payable to them as fixed by the Government. Though the petitioner Corporation specifically claimed that, the petitioner Corporation is quasi government owned by the Government of Tamil Nadu, the Government of Tamil Nadu did not pay minimum wages, since they pay wages on different form over and above the MW Act. If there is a difference amount as claimed by the private respondents/workmen on par with MW Act, they have to workout the remedy before the authority under Section 20 of the MW Act and not



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before the first respondent/Labour Court under Section 33(C)(2) of the I.D. Act.

8. As rightly pointed out by the learned Senior Counsel for the petitioner Corporation that, if there is an undisputed fact based on the existing rights, they are entitled to claim difference in wages before the first respondent/Labour Court under Section 33(C)(2) of the I.D. Act, whereas, in the present case, the petitioner Corporation specifically claim that the private respondents/workmen are not entitled for minimum wages in terms of MW Act and they have to approach the authority in terms of Section 20 of the MW Act. However, without doing so, approaching the first respondent/Labour Court under Section 33(C)(2) of the I.D. Act is not sustainable. Hence, the impugned order passed by the first respondent/Labour Court is liable to be interfered with.

9. Accordingly, these writ petitions are allowed and the order dated 02.07.2016 passed by the Labour Court in Claim Petition Nos.653 to 735 of 2010, 736 to 913 of 2010, 947 to 1026 of 2010, 1280 to 1347, 1349 to 1399 of 2011, 1400 to 1413 of 2011, 1414 to 1479, 1481 to 1619



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of 2011, 1620 to 1644 of 2011, 1978 to 2338 of 2011, 542 of 2014, 547 to 549 of 2014, 551 to 556 of 2014, 558 of 2014, 560 of 2014, 569 of 2014, 571 to 586 of 2014, 588 of 2014, 592 to 597 of 2014 is set aside.

However, liberty is granted to the private respondents/workmen to file appropriate petition before the authority under Section 20 of the Minimum Wages Act, 1948, within a period of four (4) weeks from the date of receipt of a copy of this order. If such petition is filed, the authority under the Minimum Wages Act is directed to decide the issue within a period of twelve (12) weeks thereafter and the period pending before the Labour Court as well as this Court is excluded for the purpose of limitation. No costs. Consequently, the connected miscellaneous petitions are closed.

07.08.2023

Index : Yes / No
Speaking order / Non-speaking order
Netrual Citation Case : Yes / No
sp



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The Presiding Officer,
1st Additional Labour Court,
Chennai – 600 104.



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M.DHANDAPANI, J.

sp

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07.08.2023