



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 6877 of 2022
and
WMP No. 6925 of 2022

1. D.Velu
S/o.Duraisamy,
Over Head Tank Operator,
Mansurapth Village Panchayat,
No.195, Nadutheru,
Mansurapath Village and Post,
Chethupattu Taluk, Panchayat Union,
Thiruvannamalai District- 606 902.
2. R.Desingu
S/o.Raju, Over Head Tank Operator,
Mansurapth Puthur Village Panchayath,
No.737, Pllayarkoil Street,
Mansurapath Village and Post,
Chethupattu Taluk, Thiruvannamalai- 606
902.
3. K.Chinnadurai
S/o.Kuppan, Over Head Tank Operator,
Mansurapth Village Panchayat,
North Kollakkottai,
Mansurapth Village and Post, Chethupattu
Taluk, Thiruvannamalai- 606 902.
4. K.Perumal
S/o.Kannayiram, Over Head Tank Operator,
Mansurapth Village Panchayat, No.589,
pachayamman Koil Street, Mansurapath



Village and Post, Chethupattu Panchayat
Union, Chethupattu Taluk, Thiruvannamalai
District.

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5. S.Chinnammal
W/o.Subramaniam,
Over Head Tank Operator,
Mansurapath Village Panchayat, No.360,
South Kottai Street, Mansurapth Village and
Post, Chethupattu Taluk, Thiruvannamalai
District- 606 902.
6. A.Manickam
S/o.Arjunan, Over Head Tank Operator,
Arumballur Village Panchayat, Arumballur
Colony village, Modaiyur Post,
Chethupattu Taluk,
Thiruvannamalai District- 606 902.
7. G.Pachayappan
S/o.Gopal Kavundar,
Over Head Tank Operator,
Malampadi Village Panchayath, No.410,
Pillayar Koil Street,
S.Pallyampattu, Thiruvannamalai Taluk and
District, Somasppadi, Tamil Nadu- 606 611
8. Govindammal
W/o.Late.A.Manoharan, representing as a
Legal heir, S/o. Aathimulam, Over Head
Tank Operator, Sanikkavadi Village
Panchayath, No342A, Kongaiyamman Koil
Street, Sanikkavadi,
Thiruvannamalai District- 606 803.
9. R.Muthu
S/o.Ramasamy, Over Head Tank
Operator, Alampudi Village Panchayat,
No.79, Pillayar Koil Street Ettivadi Post,



Alampudi Village Union,
Chethupattu Panchayath Union and Taluk,
Thiruvannamalai- 606 907.

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10. Kasthuri,
W/o.Late D.Arumugam,
representing as Legal Heir to late
S/o.Devakanni, Over Head Tank Operator,
Madavilagam Village Panchayath, No.17,
Bajanaikoil Street, Madavilagam Panchayat,
Kudalur Post- 606 907, Polur Taluk,
Chethupattu Union, Thiruvannamalai
District.
11. G.Kali,
S/o.Govindasamy,
Over Head Tank Operator,
Alliyala Mangalam Village Panchayath,
No.10, Thundu Street, Alliyalamangalam,
Chethupattu Panchayath Union,
Thiruvannamalai- 606 904.
12. A.Elumalai
S/o.Arumugam, Over Head Tank Operator,
Konalur Village Panchayath, No.381,
Pillauarkoil Street, Na Puthur
9Nadazagananthal Puthur), Konalur Post,
Kizpenathur Taluk, Thiruvannamalai
District.
13. K.Muniyan
S/o.Kannan, Over Head Tank Operator,
Mandakolathur Vilage Panchayat, No.495/1,
Pettai Thoppu village, Manadakolathu, polur
Taluk, Thiruvannmalai- 606 904.



14. D.perumal

S/o.Duraisamy, Over Head Tank Operator,
Karaipundi Village Panchayath, No.199,
Mettu Kommananthal, Pulivananthal post,
Polur taluk, Chethupattu Panchyath Union,
Thiruvannamalai District- 606 904.

15. M.Harigopal

S/o.Munusamy, Over Head Tank Operator,
Rajanthangal Panchayat, No.331, 2nd Street,
Iluppanthangal Village, Sanipoondi Post,
Rajanthangal Panchayat, Kizpenathur Post
union and Taluk, Thiruvannamalai District.

16. S.Palani

S/o.Subburayan, Over Head Tank Operator,
Karikkalampadi Village Panchayath, No.111,
Kamarajar Street, Karikalampadi Village,
Kolathur Post, Kizpenathur Taluk and
Panchayath Union, Thiruvannamalai
District.

..Petitioner(s)

Vs

1. The Government of Tamil Nadu

Rep by the Secretary to Government,
Rural Development and Panchayats
Department, Secretariat, Fort St.George,
Chennai- 600 009.

2. The Director of Rural Development and
Panchayats, Panagal Buildings, Saidapet,
Chennai- 600 015.

3. The Collector

The office of the District Collector,
Thiruvannamalai District, Thiruvannamalai.



4. The Assistant Director (Panchayats) Office
of the Assistant Director (panchayats),
Cheiyar Block, Cheyyar, Thiruvannamalai
District
5. The Block Development Officer
The Office of the Block Development
Officer (Village Panchayats), Chethupattu
Panchayat Union, Chethupattu Block,
Chethupattu, Thiruvannamalai District
6. The Block Development Officer
The Office of the Block Development
Officer, (Village Panchayats),
Kizpenathur Taluk and Panchayath Union,
Thiruvannamalai District
7. The Block Development Officer
The Office of the Block Development
Officer, (Village Panchayats),
Thiruvannamalai Taluk and Panchayat
Union, Thiruvannamalai District.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records relating to the order in Na.Ka.No.25824 /2021 / E2, dated 21.06.2021 of the Director of Rural Development and panchayats, the 2nd Respondent herein and the consequential order issued in Memo Na.Ka.No. 10850 / 2021 /E1, dated 05.07.2021 of the District Collector (Development) Thiruvannamalai, the 3rd respondent herein, and quash the same and to direct the 2nd respondent herein, to issue order fixing minimum rates of wages to the petitioner herein, working in the consolidated pay, as over head Tank Operators, in the Minimum Rate of basic Wages at Rs.8,000/-



with Dearness allowance of Rs.3,725 /- per month, with effect from June 2018 and to disburse the accrued arrears of wages thereof, within a time scheduled by this court.

For Petitioners : K.Thennan

For Respondents : Ms.S.Anitha,
Special Government Pleader

ORDER

This writ petition is filed for the following relief:

“To issue a writ of certiorarified mandamus calling for the records relating to the order in Na.Ka,No.25824 /2021 / E2, dated 21.06.2021 of the Director of Rural Development and Panchayat, the 2nd respondent herein and the consequential order issued in Memo Na.Ka.No. 10850 / 2021/E1, dated 05.07.2021 of the District Collector (Development) Thiruvannamalai, the 3rd respondent herein, and quash the same and to direct the 2nd respondent herein, to issue an order fixing the minimum rates of wages to the petitioner herein, working in the consolidated pay, as Over Head Tank Operators, in the minimum rate of basic wages at Rs.8,000/- with Dearness allowance of Rs.3,725 /- per month, with effect from June 2018 and to disburse the accrued arrears of wages thereof, within a time to be stipulated by this court.



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2. It is the case of the petitioners that they have all been working as Over Head Pump Operators since 1984 onwards and are similarly placed. The petitioners come within the Village Panchayat of Thiruvannamalai District. Their service details are tabulated hereunder:

S.No	Name of the Petitioners	Name of the Panchayat	Date of Initial Appointment	Wage at the time of Appointment	Present Consolidate pay
1	D.Velu	Mansurabath	28.06.1989		Rs 50/- Rs 4240+300
2	R.Desingu	Manusurabath-Pudhur	28.06.1987		Rs.50/- Rs 4240+300
3	K.Chinnadurai	Mansurabath	09.06.2008		
4	K.Perumal	Mansurabath	08.11.2010		
5	S.Chinnammal	Mansurabath	10.01.2009		
6	A.Manikkam	Arumbalur	01.07.1994		
7	K.Pachayappan	Mallampadi	07.06.2000		
8	Late A.Manoharan	Sanikkavadi	02.01.1983		
9	R.Muthu	Aalampumndi	01.01.1994		
10	Late T.Aarumugam	Madavilaagam	01.02.1986		
11	K.Kali	Alliyalamangalam	01.01.1992		
12	A.Elumalai	Konalur	01.03.1996		
13	K.Muniyan	Mandakolathur	1995		
14	T.Perumal	Karaipundi	01.02.2000		
15	A.Arigoal	Rajanthangal	10.12.1996		
16	S.Palani	Karikkalampadi	01.03.1995		



3. At the time of petitioners' original appointment, a sum of Rs.50/- was paid to them as monthly wage, which has been increased gradually and in the year 2011, their monthly salary was fixed at Rs.2,000/- as consolidated pay with 40% as special amount, with effect from 01.01.2011. Thereafter, as a consequence of the 7th Pay Commission recommendations, the consolidated pay of the Overhead Tank Operators was fixed at Rs.4,540/- per month, which includes Rs.300/- as a special allowance.

4. A committee was appointed under the Chairmanship of the Deputy Commissioner of Labour, Madurai for revising the minimum rates of wages for employment under any local authority as per G.O(Ms) No.59, Labour and Employment (J2) Department, dated 18.06.2014. After conducting meetings with various stake holders, the Committee had submitted a report to the Government for the revision of minimum rates of wages for employment under the local authorities. The Government, after careful inspection, accepted the same and issue an order revising the minimum rates of wages for employment under any local authority vide G.O(2D) No.62, Labour and Employment (J1) D dated 11.10.2017 and the same was also notified and published in the Government gazette.



5. The local authority under the schedule was categorised into all Corporations, all Municipalities, all Town and Village panchayats and the classes of employees were categorised as unskilled, semi-skilled and skilled. As per the calculation given in the schedule, the petitioners' category, namely Over Head Tank Operators was categorised as Semi-Skilled Grade II.

6. In pursuance of G.O(2D) No.62, Labour and Employment (J1) D dated 11.10.2017, the Director of Municipal Administration, Chepauk, Chennai 600 005 by his proceedings dated 16.05.2018 had instructed all local bodies to implement the above Government order with a direction to grant the minimum rates of wages to the employees under the local authority. The Commissioner, Villupuram Municipality, had fixed the minimum rate of wages for 36 Over Head Tank Operators at Rs.8,000 + 3725(DA) = Rs.15,725/- with effect from June 2018 by his proceedings dated 18.07.2018.

7. The petitioners would submit that they have been working as Over Head Tank Operators since 1983 continuously without a break in



the village panchayats. They had made several requests in person and in writing to respondents 4 to 7 to implement the Government order for fixing the minimum wages. Since there was no response, a detailed representation dated 23.03.2021 was given to the respondents herein seeking minimum rates of wages. This representation was referred to the Director, Rural Development and Panchayat/ the 2nd respondent herein by the 3rd respondent, the District Collector, Thiruvannamalai. The 2nd respondent rejected their request by his order dated 21.06.2021. However the same was not communicated to them. The petitioners, on their own volition, had obtained a copy of the said order dated 21.06.2021 and a reading of the same would show that the request has been rejected for the reason that they are part-time employees. The consolidated pay of Rs.4,000/- per month is being paid to 40,419 Over Head Tank Operators working in Tamil Nadu and this would overshadow the wages prescribed vide G.O(2D) No.62, Labour and Employment (J1) Department dated 11.10.2017. Lastly, the petitioners have been orally informed about the rejection. Therefore, the petitioners are before this Court seeking the reliefs claimed above.



8. A counter affidavit has been filed by the 3rd respondent *inter-alia* denying the contentions made by the petitioners. The respondents would submit that the petitioners were not full time workers but were only engaged on a part-time basis. They would get only a sum of Rs.38.50 per hour, which is a very meagre amount in the present day of emoluments. The request by the petitioners to fix their wages at Rs.8,000/- for the part-time work is not maintainable and is liable to be rejected. The petitioners' request had already been considered and rejected and the order was also communicated to them by the 3rd respondent. The petitioner, being part-time employees, are discharging their duties only for two to three hours per day. Therefore, from a reading of the counter, it appears that the only defence raised by the respondents is that the petitioners are doing part-time work.

9. Heard the learned counsel on either side, who made their arguments as found in the pleadings and perused the materials available on record.



10. The petitioners are claiming parity on the basis of G.O (2D) No.62, Labour and Employment (J1) Department dated 11.10.2017. The schedule to this Government Order sets out the minimum rate of wages payable for employment under any local authority / all Corporations. The employees are qualified as skilled and semi-skilled. The petitioners' avocation, namely Over Head Tank Operators is described as Grade-II Semi-Skilled workers and as per the schedule, they are entitled to minimum basic wages of Rs.8,000/- per month. Nowhere in the Government Order has it been stated that this salary will not be paid for part-time workers. On the contrary, the Government Order seeks to bring within its ambit skilled as well as unskilled workers working under the local authorities and Corporations. Nowhere is there any reference to the number of hours of worked by these workmen, skilled or unskilled for earning income. Therefore, the impugned order is not sustainable.

11. Accordingly, the Writ Petition is allowed. The impugned order dated 21.06.2021 is quashed. The 2nd respondent is directed to fix the minimum rates of wages at Rs.8,000/- with Dearness allowance of



Rs.3,725 /- per month, with effect from June 2018 to the petitioners and disburse the accrued arrears of wages thereof, within a period of twelve

weeks from the date of receipt of a copy of this order. No costs.

Consequently, connected miscellaneous petition is closed.

08-12-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

srn

To

1. The Secretary to Government,
Government of Tamil Nadu
Rural Development and panchayats
Department, Secretariat, Fort St.George,
Chennai- 600 009.
2. The Director of Rural Development and
Panchayats
Panagal Buildings, Saidapet,
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P.T.ASHA J.

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