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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.8689 of 2023
and
W.M.P(MD)No.7959 of 2023

The Management of Madura Coats Private Limited,
Door No.9/90 to 234, Papavinasam Mills Post,
Ambasamudram - 627 422,
Rep. by its HR Business Partner - India ...Petitioner

Vs

- 1.The Joint Commissioner of Labour,
Labour Department Office Complex,
Ward No.27, Annayarkulam Extension,
Thirumal Nagar, Tirunelveli-7.
- 2.Joint Director of Industrial Safety and Health,
17, Chidambaram Nagar, Perumalpuram 'C' Colony,
Tirunelveli.
- 3.National Labour Origination,
Represented by its President, M.Jeyaprakash,
Having Office No.188, Kaliappar Street, Tuticorin.

***(R3 is Impleaded Vide Court Order Dated 07.08.2025 in
W.M.P(MD)No.20835 of 2023 in W.P(MD)No.8689 of 2023)***
...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Certiorari**, calling for the records of the 1st respondent and quash the proceedings in Case No. MW.I.A.2 of 2023, based on the petition of the 2nd respondent dated 25.11.2022, in Na.Ka.No.AA/3437/2022.

For Petitioner : Mr.Anand Gopalan
For Respondent : M/s.D.Farjana Ghoushia
Special Government Pleader
for R1 & R2
Mr.S.Kumar for R3

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ORDER

The present Writ Petition has been filed by the Management challenging the notice issued by the first respondent herein under the Minimum Wages Act, calling upon the petitioner to appear for an enquiry.

2.According to the learned Counsel appearing for the Writ Petitioner, they are running the Textile Industry for several decades and as far as the wages and conditions of service of the employees of the Textile Mills are concerned, they are governed by various 12(3) settlements entered into between the Industries and the workmen. However, as far the salary of the Apprentices and Learners are concerned, they are governed by the Minimum Wages Act. The Government of Tamil Nadu, has issued G.O.(2D)No.43, dated 19.04.2018, revised the



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Minimum Wages for the Apprentices and Learners of the Textile Mills. The present notice has been issued by the authorities based upon an application presented by the regular employees of the Textile Mills. Since the Minimum wage notification is applicable only to the Apprentices and Learners, the respondents authorities do not have any jurisdiction to entertain the application. Hence, he prayed for setting aside the notice issued under the Minimum Wages Act.

3.A perusal of the records reveals that the application before the authorities under the Minimum Wages Act, has been filed only by the Apprentices/Learners and not by the regular employees. That apart, only notice has been issued calling upon the petitioner to appear for an enquiry. In such circumstances, the Writ Petition is premature in nature and therefore, this Court is not inclined to entertain the present Writ Petition. However, the petitioner Management is at liberty to raise all the issues before the authority concerned.

4. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is also closed.

14.08.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

To

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2.Joint Director of Industrial Safety and Health,
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