



C.R.P.(MD)No.1579 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1579 of 2021

and

C.M.P.(MD)Nos. 8617 & 11202 of 2021

Dr.R.Baskaran

...Petitioner

Vs.

The Assistant Inspector of Labour,
Theni

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to strike off the Case No. M.W.06 of 2021, pending on the file of the court of the Authority under Minimum Wages Act, Dindigul.

For Petitioners : Mr.M.A.M.Raja

For Respondents : Mr.B.Saravanan

Additional Government Pleader



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ORDER

This Petition has been filed Seeking to strike off the Case No.M.W.06 of 2021, pending on the file of the court of the Authority under Minimum wages Act, Dindigul.

2.Learned Counsel for the Petitioner would submit that the petitioner is a Doctor by Profession. The respondent/Assistant Inspector of Labour, Theni, filed a complaint before the authority under the Minimum Wages Act, 1948. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the Petitioner would submit that the inspection report reveals as if one Lakshmi and one Revathi were paid lesser salary, for which they made a complaint. However, the enclosure of the complaint shows the name of one Lakshmi and one Chitra. The said discrepancy was pointed out by the petitioner before the authorities. Immediately, the respondent filed an amendment petition for amending the petition as Revathi instead of Chitra in the Case No.M.W.06 of 2021. However, the inspection was conducted in the year 2021, whereas the petitioner was paying the said monthly wages prior to 2018. Admittedly, they have to file a complaint within a period of six [6]



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months. However, the complaint was filed only in the year 2021, which is not a maintainable one. On the above two grounds, the present strike off petition is filed before this court.

4.Per Contra, learned Additional Government Pleader for the respondent would submit that the allegations in the complaint are true and the employees of the petitioner have been paid very meagre salary. Further, the change in the name of the employees is an inadvertent typographical error, for which they have filed an application to amend the petition. Hence, prays that this court may pass appropriate orders.

5.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent.

6.The facts in the present case is not in dispute. Admittedly, the respondent / Assistant Inspector of Labour, conducted inspection on 26.02.2021. In the inspection report, it is alleged that the employees Lakshmi and Revathi, were paid lesser wages than the minimum wages and they have also signed in the inspection report. However, in the plaint, the respondent wrongly mentioned as Chithra instead of Revathi. The same was pointed out by



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the petitioner in the written statement before the authority under the Minimum Wages Act. Immediately, they filed an amendment Petition. Merely because an amendment petition is filed, does not mean that the entire plaint is vitiated. It is a curable one and thereby, the respondent filed amendment petition. The ground now raised by the petitioner should be raised only at the time of adjudication and not at the preliminary stage. Hence, the prayer sought for the petitioner cannot be granted.

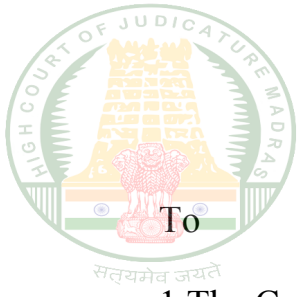
7. Accordingly, the Civil Revision Petition stands dismissed. However, liberty is granted to the petitioner to canvass all the points before the trial Court. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

13.06.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Court of the Authority under Minimum Wages Act,
Dindigul.
- 2.The Assistant Inspector of Labour,
Theni.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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