



WP(MD)No.19883 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.19883 of 2021

Management,
Pandiya Vellar Madam,
No.13, Gandhi Road,
Palani, Dindigul District.

...Petitioner

Vs

1.The Authority,
[The Joint Commissioner of Labour],
The Joint Commissioner of Labour Office,
Dindigul, Dindigul District.

2.Subramani

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records relating to the impugned order dated 18.01.2021 in PWA.No.6 of 2017 passed by the 1st respondent and quash the same.

For Petitioner : Mr.Rajesh Saravanan.B

For Respondent : Mr.S.Vinodh

No.1

For Respondent Mr.D.Shanmuga Raja Sethupathi

No.2



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ORDER

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The petitioner madam has filed this writ petition as against the order passed by the Joint Commissioner of Labour in PWA.No.6 of 2017, dated 18.01.2021. By this impugned order, the 1st respondent has directed the management to pay the eligible wages to the 2nd respondent. Aggrieved by that order the management has filed this writ petition.

2.The 2nd respondent has filed the above application under Section 15(2) of the Payment of Wages Act (the Act), before the 1st respondent authority under the Act in PWA.No.6 of 2017 that he has rendered 23 years of service in the petitioner madam and has also been staying in the Madam, however, by way of a notice dated 24.06.2017 the 2nd respondent was removed from service based on a resolution and he was also directed to vacate the premises on or before 30.06.2017. Further he was not paid with salary for the months of April and May 2017. The said application was allowed by the 1st respondent by order dated 18.01.2021.



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3.The learned counsel for the petitioner submits that the petitioner madam had never engaged the 2nd respondent as watchman and there is no employer and employee relationship between the petitioner and the 2nd respondent. However without considering the same, the 1st respondent has allowed the said application and also directed the petitioner madam to pay salary for the month of April and May 2017.

4.This court considered the rival submissions made and perused the materials placed on record.

5.The only contention of the petitioner madam as against the order passed by the 1st respondent is that the 2nd respondent was never engaged by the petitioner madam as a watchman. The impugned order shows that the 1st respondent has allowed the application of the 2nd respondent by considering the exhibits placed before him. The exhibits / the attendance register, salary salary register and other documents reveal that the petitioner had engaged the 2nd respondent as a watchman.



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6. In view of the above discussion, this court is not inclined to interfere with the impugned order. Accordingly, this writ petition is dismissed. No costs.

05.11.2025

DSK

To

The Joint Commissioner of Labour,
The Joint Commissioner of Labour Office,
Dindigul, Dindigul District.



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B.PUGALENDHI.J.,

DSK

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