



W.P.(MD) No.23118 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.23118 of 2023

and

W.M.P.(MD) No.19308 of 2023

1.A.Karuppasamy

2.C.S.Palaniyandi

3.A.Karuppiah

4.S.Paulraj

5.V.Ponnusamy

6.K.Avudayappan

7.G.Thiruneelakandan

8.A.Packkiam

9.S.Ulaganathan

10.M.Thenammal

11.S.V.Lakshmi Narayani

12.G.Santhanam

13.P.Balraj

14.S.Subbiramani

15.P.Ganesan

... Petitioners



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Vs.

1. The Principal Chief Conservator of Forests,
Headquarters of Forest Department,
Guindy-Velacherri Main Road,
Near Kanigapuram Check Post,
Guindy, Chennai-600 032.
2. The Divisional Forest Officer,
Social Forestry & Forest Extension Division,
NGO 'A' Colony, Palayamkottai,
Tirunelveli-627 007.
3. The District Forest Officer,
Thuthukudi Divisional Forest Office,
Collectorate Campus,
Korampallam, Thuthukudi-628 101.
4. The Divisional Forest Officer,
Social Forestry Division,
No.16, 14, 20 C.C. Salai Rajaji Nagar,
M.S.F.Colony, Virudhunagar-1.
5. The Divisional Forest Officer,
W4QQ+9QP, Outpost,
Ramaond Reserve Line,
Chinna Chokikulam,
Madurai-625 020.
6. The Divisional Forest Officer,
Sivagangai Collectorate,
Manamadurai City,
Sivagangai District-630 562.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to pass orders to pay the Minimum Wages as per G.O.(Ms) No.82, Labour and Employment (J1) Department dated 27.09.2002 and G.O.Ms.No.106, Environment and Forest (FR-2) Department, dated 21.09.2006 issued under Schedule II to the Minimum Wages Act within stipulated time.

For Petitioners : Mr.V.O.S.Kalaiselvam

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed seeking a writ of mandamus directing the first respondent to pay the minimum wages as per G.O.(Ms)No. 82, Labour and Employment (J1) Department, dated 27.09.2002 and G.O.Ms.No.106, Environment and Forest (FR-2) Department, dated 21.09.2006 issued under Schedule II to the Minimum Wages Act within stipulated time.



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2. All the petitioners herein worked as Plot Watchers and Social Forestry Workers in the Social Forestry and Forest Extension Division, that is under the respondents and retired from service. They all are making a claim for payment of minimum wages for the service already rendered by them.

3. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents and perused the material available on record including the counter affidavit filed by the respondents.

4. The issue whether the provisions of the Minimum Wages Act would apply to the petitioners and other similarly situated persons has come up for consideration before a learned Division Bench of the Principal Bench of this Court in W.A.Nos.2183 to 2188 of 2012 and the learned Division Bench came to the conclusion that the provisions of the Minimum Wages Act would apply to the persons who are similarly situated like the petitioners herein by judgment dated 17.12.2012. The said judgment passed by the learned Division Bench was also followed by a Co-ordinate Bench of this



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Court in W.P.(MD) Nos.3881 to 3884 of 2013 by duly upholding the orders passed by the authority under the Minimum Wages Act and further directing the respondents therein to pay the minimum wages within eight weeks.

5. The fact that this Court has conclusively held that the provisions of the Minimum Wages Act would apply to the Plot Watchers worked in the Social Forestry and Forest Extension Division, is not in dispute and Mr.S.Shanmugavel, learned Additional Government Pleader also fairly submitted that the provisions of the Payment of Minimum Wages Act would apply to the petitioners herein. This Court does not see any reason to further dwell deep in the matter on merits.

6. In the light of the judgment passed by this Court in the writ appeals in W.A.Nos.2183 to 2188 of 2012 and the order passed by the Co-ordinate Bench in W.P.(MD) Nos.3881 to 3884 of 2013, this writ petition is disposed of directing the first respondent to consider the claim of the petitioners for payment of minimum wages in terms of the representations said to have been submitted by them by duly calling for the service



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particulars of the petitioners from the concerned division and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order by duly taking into consideration the judgment passed by the learned Division Bench in W.A.Nos.2183 to 2188 of 2012 and the order passed by the Co-ordinate Bench in W.P.(MD) Nos.3881 to 3884 of 2013.

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.04.2025

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

ABR



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MUMMINENI SUDHEER KUMAR, J.

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