



W.P(MD)Nos.5722 and 5723 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)Nos.5722 and 5723 of 2022

and

WMP (MD) Nos.4570 and 4578 of 2022

WP (MD) No.5722 of 2022

Jahir Ali

... Petitioner(s)

vs.

1. The Joint Commissioner of Labour,
Madurai District.

2. The Assistant Inspector of Labour,
Devakottai, (Karaikudi I/c),
Sivagangai District.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the Impugned Letter issued by the 2nd respondent in Na.Ka.No.183/2021 dated 15.12.2021 and consequent proceedings No.M.W.A 8/2022 which is pending before the 1st respondent and quash the same as illegal.

For Petitioner

: Mr.RM.Arun Swaminathan

For R1 & R2

: Mr.R.Ramasamy, Counsel for State



W.P(MD)Nos.5722 and 5723 of 2022

WP (MD) No.5723 of 2022

Jahir Ali

... Petitioner(s)

vs.

1. The Joint Commissioner of Labour,
Madurai District.

2. The Assistant Inspector of Labour,
Devakottai, (Karaikudi I/c),
Sivagangai District.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the Impugned Letter issued by the 2nd respondent in No. Nil/2021 dated 15.12.2021 and consequent proceedings No.M.W.A 6/2022 which is pending before the 1st respondent and quash the same as illegal.

For Petitioner : Mr.RM.Arun Swaminathan

For R1 & R2 : Mr.R.Ramasamy, Counsel for State

COMMON ORDER

Since the issue involved in both the writ petitions is one and the same, they were heard together and are being disposed of by this common order.



W.P(MD)Nos.5722 and 5723 of 2022

WEB COPY

2. The case of the petitioner is that he is a partner of the textile showroom. He claims that there are 30 employees in the establishment and that they are being paid wages regularly in accordance with the provisions of the Minimum Wages Act. However, the Assistant Inspector of Labour (Minimum Wages) conducted a surprise inspection and forwarded a letter to the Joint Commissioner of Labour for taking appropriate action with regard to the wages paid by the petitioner to the employees. Challenging the said communication, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that, admittedly, the Labour Commissioner is empowered to conduct an inspection of the petitioner's establishment. However, the Assistant Inspector of Labour has no authority to inspect the petitioner's premises. It is contended that, without jurisdiction, he conducted the inspection, prepared an inventory and forwarded a letter to the Joint Commissioner of Labour, which is not sustainable in law. On this sole ground, the present writ petition has been filed before this Court.



W.P(MD)Nos.5722 and 5723 of 2022

WEB COPY

4. Per contra, the learned Counsel for the State appearing on behalf of the respondents submitted that the impugned communication is only a letter addressed to the Joint Commissioner of Labour for taking appropriate action regarding the alleged non-payment of wages in accordance with the Minimum Wages Act to the employees of the petitioner's establishment. It is not an order passed by the Assistant Inspector of Labour, but merely a recommendation to the Joint Commissioner of Labour to proceed further in accordance with the provisions of the Minimum Wages Act. Therefore, the petitioner cannot be said to be an aggrieved person at this stage. It is further submitted that the petitioner is at liberty to raise all the grounds, including the issue of jurisdiction, before the Joint Commissioner of Labour. Hence, the present writ petition is premature and is liable to be dismissed.

5. Heard the learned counsel for the parties and perused the impugned letter dated 15.12.2021.

6. A perusal of the impugned letter shows that the impugned communication is only a recommendation made by the Assistant Inspector of



W.P(MD)Nos.5722 and 5723 of 2022

WEB COPY

Labour to the Joint Commissioner of Labour for taking appropriate action. No adverse order has been passed against the petitioner. Therefore, this Court is not inclined to interfere with the said communication at this stage. Accordingly, the writ petition stands disposed of, granting liberty to the petitioner to raise all the grounds available to him before the Joint Commissioner of Labour, including the issue of jurisdiction. The Joint Commissioner of Labour is directed to conclude the adjudication proceedings in respect of the petitioner's establishment, pursuant to the communication of the Assistant Inspector of Labour, within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

29.06.2026

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



W.P(MD)Nos.5722 and 5723 of 2022

WEB COPY

To

1. The Joint Commissioner of Labour,
Madurai District.

2. The Assistant Inspector of Labour,
Devakottai, (Karaikudi I/c),
Sivagangai District.



WEB COPY



W.P(MD)Nos.5722 and 5723 of 2022

M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)Nos.5722 and 5723 of 2022**

DATED : 29.06.2026