



W.P.(MD)No.15168 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.15168 of 2022
and
W.M.P.(MD).No.10866 of 2022

S.Iyyappan

...Petitioner

Vs

1.The Assistant Commissioner of Labour (Mediation),
Assistant Commissioner of Labour Office,
Thirumal Nagar,
N.G.O. "A" Colony,
Tirunelveli.

2.Kajah Beedi Enterprises Pvt. Ltd.,,
Rep. by its Director,
Mr.Abdul Azees Anwar Hussain,
No.64, South Car Street,
Upstair,
Tirunelveli Town,
Tirunelveli 627 006.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the first respondent impugned order in B.C.W.A.No.1 of 2021 dated 16.05.2022



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and quash the same as illegal, arbitrary and consequently direct the second respondent to reinstate the petitioner in the second respondent company branch office at Kurumbalaperi, Tenkasi Taluk, Tenkasi District with all monetary benefits and arrears salary for the tune of Rs.4,15,280.50/- and direct the second respondent to provide Rs.1,00,000/- (one lakh only) as a compensation for mental agony the time that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganesha Moorthi

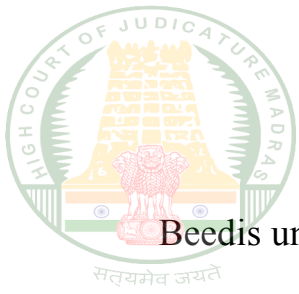
For R-1 : Mr.M.Mahaboob Athiff,
Counsel for the State of Tamil Nadu
(Criminal Side)

For R-2 : Mr.S.Mahesh Babu

ORDER

This writ petition has been filed challenging the impugned order passed by the first respondent dated 16.05.2022 and consequently to direct the second respondent to reinstate the petitioner in the second respondent Company with all monetary benefits and arrears salary to the tune of Rs.4,15,280.50/- and further to direct the second respondent to provide Rs.1,00,000/- as compensation for mental agony.

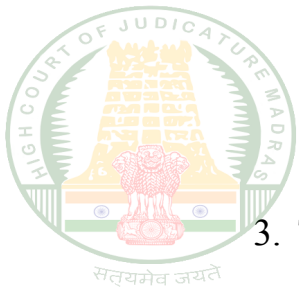
2. The learned counsel appearing for the petitioner submitted that the second respondent is a Beedi Company registered under the Beedi and Cigar Workers (Conditions of Employment) Act, 1966. The Company manufactures



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Beedis under the name and style of Kajah Beedi Enterprise Private Limited. The

petitioner joined the services of the second respondent in the year 1988 as a Helper at Rahmaniapuram, Tenkasi Taluk. According to the petitioner, his monthly salary was paid after deducting provident fund, gratuity and other statutory contributions. Thereafter, he was transferred to Keelapavoor in the year 2017 and subsequently to Kurumbalaperi, Tenkasi District, where he continued to work in the very same post without any promotion. Though he had put in more than 23 years of service, he was neither promoted nor extended the monetary benefits to which he claimed entitlement, whereas his juniors were promoted as Supervisors and paid higher wages. It is the further case of the petitioner that he was dismissed from service with effect from 25.11.2020 without conducting any enquiry and without assigning any reason. Aggrieved by the same, the petitioner filed a petition before the first respondent under Section 31(2)(a) of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, seeking reinstatement, compensation and other consequential benefits. The petition was presented with a delay of 29 days, which was condoned. The first respondent, by order dated 16.05.2022, awarded compensation of a sum of Rs.1,26,010/- to the petitioner. Challenging the said order, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner submitted that the petitioner had claimed that his last drawn monthly wages were Rs.8,267/-.

However, the first respondent, taking note of the relevant provisions and the materials available on record, determined the monthly wages at Rs.9,203/- and computed the compensation accordingly. It was further submitted that the petitioner could not produce certain documents before the first respondent to substantiate his claim regarding the higher salary drawn by him and, therefore, sought appropriate relief before this Court.

4. The learned counsel appearing for the second respondent submitted that the amount determined by the first respondent is not in dispute and that the second respondent is willing to disburse the amount payable to the petitioner within the time stipulated by this Court.

5. This Court has carefully considered the submissions made on either side and perused the materials placed on record.

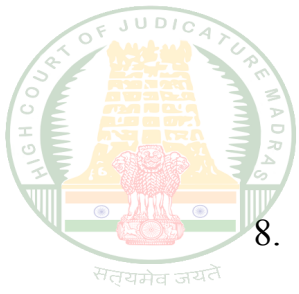
6. The petitioner entered the service of the second respondent in the year 1988. This fact was not disputed by the respondents, as the petitioner had been allotted an EPF account by the Management on 18.05.1988. The Labour Court



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took note of the said fact. Further, the salary receipts produced by the parties reveal that the petitioner was receiving a monthly salary of Rs.8,267/-, which was below the minimum wages prescribed under the Minimum Wages Act. Consequently, the Labour Court determined the petitioner's monthly wages at Rs.9,203/- in accordance with the Minimum Wages Act and awarded compensation after duly complying with the statutory provisions. The said finding of the Labour Court cannot be said to be perverse. Except contending that certain documents relating to the petitioner's salary were not marked before the first respondent, no material has been placed before this Court warranting interference with the impugned order in exercise of its jurisdiction under Article 226 of the Constitution of India. However, in view of the submission made by the learned counsel appearing for the second respondent that the amount awarded has not been disputed, this Court is inclined to issue a direction for disbursement of the awarded amount.

7. Accordingly, there shall be a direction to the second respondent to disburse the awarded amount of Rs.1,26,010/- together with interest at the rate of 6% per annum from the date of the award till the date of payment, within a period of six weeks from the date of receipt of a copy of this order.



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8. Accordingly, this writ petition stands disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

29.06.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

TSG

To

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M.DHANDAPANI, J.

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