



**W.P(MD)No.18423 of 2026**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.07.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P(MD)No.18423 of 2026**  
**and WMP (MD) Nos.13643 & 13645 of 2026**

HDFC Bank Limited  
Rep.by Branch Manager  
Thiruppathur Branch  
Sivagangai District -630 211.

... Petitioner(s)

vs.

1.The Authority under the Minimum Wages Act, 1948  
(Joint Commissioner of Labour),  
Thamarai Thotti,  
Race Course,  
Madurai – 625 002.

2.K.Selvarathinam

... 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 pertaining to the impugned order dated 09.07.2024 in M.W. No.53/2024 passed by the Minimum Wages Authority, Madurai, 1st respondent and to quash the same.



**W.P(MD)No.18423 of 2026**

WEB COPY

For Petitioner

: Mr.C.Mohan  
for M/s.Kind and Partridge

For R1

: Mr.M.Mahaboob Athiff, Counsel for State

### **ORDER**

This Writ Petition has been filed challenging the *ex parte* order dated 09.07.2024 passed by the first respondent fastening liability upon the petitioner bank.

2. Heard the learned counsel for the parties.

3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed, notice to the second respondent is dispensed with.

4.The learned counsel for the petitioner submits that the second respondent was working as a Security Guard in the petitioner Bank through a contractor. According to the second respondent, minimum wages were not paid to



**W.P(MD)No.18423 of 2026**

WEB COPY

him. Consequently, the Inspector of Labour filed an application under the Minimum Wages Act, 1948, before the first respondent in M.W. No.53 of 2024. The first respondent passed an *ex parte* order against the petitioner Bank. Aggrieved by the said order, the present Writ Petition has been filed.

5. The learned counsel for the petitioner would submit that the petitioner has already paid the minimum wages payable to the second respondent in order to avoid prosecution. It is further submitted that the impugned *ex parte* order was passed without affording an opportunity of hearing to the petitioner and is, therefore, liable to be set aside on the ground of violation of the principles of natural justice.

6. The learned Government Advocate appearing for the first respondent fairly submits that the impugned order is an *ex parte* order and that the same came to be passed as the petitioner did not appear before the authority.

7. Considering the facts and circumstances of the case and taking note of the fact that the impugned *ex parte* order was passed without affording an effective opportunity of hearing to the petitioner, this Court is of the view that the



**W.P(MD)No.18423 of 2026**

WEB COPY

same has been passed in violation of the principles of natural justice. Since the order also exposes the petitioner to the risk of prosecution, the impugned order is liable to be set aside on this ground alone.

8. Accordingly, the impugned order dated 09.07.2024 is set aside and the matter is remanded to the first respondent for fresh consideration. The first respondent shall afford sufficient opportunity of hearing to all the parties concerned and pass appropriate orders on merits and in accordance with law, preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

**01.07.2026**

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



**W.P(MD)No.18423 of 2026**

WEB COPY To

The Authority under the Minimum Wages Act, 1948  
(Joint Commissioner of Labour),  
Thamarai Thotti,  
Race Course,  
Madurai – 625 002.



WEB COPY



**W.P(MD)No.18423 of 2026**

**M.DHANDAPANI,J.**

PKN

**ORDER MADE IN  
W.P(MD)No.18423 of 2026**

**DATED : 01.07.2026**