



W.P(MD)No.23548 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.23548 of 2022

C.Chidambaram

... Petitioner(s)

vs.

The Management,
Sanath Products,
K. Rajathanikottai
Post, Kodai Road,
Nilakkottai Taluk,
Dindigul District.

... Respondent(s)

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to order passed by the learned Labour Court, Trichirappalli, Dindigul Camp Court in C.P. No.1/2010 dated 01.07.2021 and set aside the same and directed the respondent to pay a sum of Rs.10,58,370/- as additional salary, leave salary, festival allowances along with interest.

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For Petitioner : Mr.D. Rameshkumar

For Respondent : Mr.S.Sankar

ORDER

This writ petition has been filed challenging the order dated 01.07.2021 passed in C.P. No.1 of 2010 by the Labour Court, whereby the computation petition filed by the petitioner under Section 33-C(2) of the Industrial Disputes Act, 1947, came to be dismissed.

2. The petitioner was appointed as a Supervisor in the respondent Company in the year 1996 and continued in service till he attained the age of superannuation in the year 2009. According to the petitioner, though he was appointed as a Supervisor, he was also entrusted with the duties of Personal Assistant, Company Security, Canteen Supervisor, Shift Supervisor and other miscellaneous works. It is his further case that he was required to reside within the factory premises and was made to work for nearly 16 hours a day throughout his service. Since no wages were paid for the alleged extra hours of work, the



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petitioner filed C.P. No.1 of 2010 under Section 33-C(2) of the Industrial Disputes Act seeking computation and recovery of the amount allegedly due towards overtime wages. The Labour Court, by order dated 01.07.2021, dismissed the computation petition. Aggrieved by the same, the present writ petition has been filed before this Court.

3. The learned counsel appearing for the petitioner submitted that the Labour Court failed to appreciate the materials placed on record. According to the learned counsel, the petitioner was continuously made to discharge duties far beyond the normal working hours and was assigned several responsibilities in addition to his regular duties as Supervisor. Though the petitioner rendered service for nearly 16 hours per day, no overtime wages or additional remuneration was paid to him. It was therefore contended that the Labour Court ought to have computed the amount payable to the petitioner under Section 33-C(2) of the Industrial Disputes Act and consequently, the impugned order is liable to be set aside.



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4. Per contra, the learned counsel appearing for the respondent submitted that the claim made by the petitioner is wholly disputed. According to the respondent, the petitioner was employed only as a Supervisor and was never required to perform duties for 16 hours a day or in the various capacities alleged by him. It was further submitted that the petitioner, after attaining the age of superannuation, has approached this Court with vague allegations without producing any supporting documents. In the absence of any such documents substantiating the petitioner's claim for overtime wages, the Labour Court rightly held that the computation petition was not maintainable. Accordingly, he prayed for dismissal of the writ petition.

5. This Court has considered the rival submissions and perused the materials available on record.

6. In the case on hand, admittedly, the petitioner's very entitlement is seriously disputed and requires adjudication on disputed questions of fact. More particularly, the very foundation of the petitioner's claim, namely, that he had worked for 16 hours a day and had discharged duties in several additional



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capacities throughout his service, has been categorically denied by the respondent. There is no award, settlement, service condition, statutory provision or any other document recognising the petitioner's entitlement to overtime wages or additional remuneration. In the absence of any such material, this Court finds no reason to interfere with the order passed by the Labour Court.

7. Accordingly, this writ petition stands dismissed. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.
No costs.

30.06.2026

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



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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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