



W.P(MD)No.7346 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.7346 of 2023

M.Sakthivel

... Petitioner(s)

vs.

1. General Manager,
The Tirunelveli District Cooperative
Milk Producers Union Ltd.,
Tirunelveli 7.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus to call for the records pertaining to the Order of the Labour Court Tirunelveli dated 14.11.2022 in Claim Petition No.20 of 2019 (CNR No.TNTL030000752019), and to quash the same and consequently direct the respondent herein to pay a sum of Rs. 4,03,527 to the petitioner and to and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the above case and thus render justice.

1/6



W.P(MD)No.7346 of 2023

WEB COPY

For Petitioner : Mr.V.Kannan
For Respondent : Mr.J.Devasenana

ORDER

The present writ petition has been filed challenging the award dated 14.11.2022 passed by the Labour Court, whereby the Labour Court partly allowed the computation petition filed by the petitioner under Section 33-C(2) of the Industrial Disputes Act, 1947.

2. The case of the petitioner is that he entered service in the respondent District Milk Producers' Union Cooperative Society in the year 1992 and retired from service on 31.03.2018. While he was in service, the Joint Director (Audit), by proceedings dated 13.11.2000, recommended that the petitioner be promoted as Sanitary Factory Assistant with effect from 12.04.2000, on par with one Muthukumar. However, the said recommendation was never implemented by the competent authority. Subsequently, the General Manager, by proceedings dated 13.12.2017, fixed the petitioner's pay at Rs.10,030/- with effect from 01.11.2017 and granted the corresponding monetary benefits only from the said date.



W.P(MD)No.7346 of 2023

WEB COPY

3. Claiming that he was entitled to pay difference salary from 01.04.2017 till the date of his retirement, the petitioner filed a computation petition under Section 33-C(2) of the Industrial Disputes Act, 1947 before the Labour Court, seeking a sum of Rs.4,03,527/-. The Labour Court, by the impugned award dated 14.11.2022, held that the petitioner was entitled only to the monetary benefits flowing from the proceedings of the General Manager dated 13.12.2017 and consequently directed payment of differential salary only for the period from 01.04.2017 till the date of retirement. Aggrieved by the same, the present writ petition has been filed.

4. After some arguments, the learned counsel for the petitioner submitted that the petitioner would be satisfied if this Court issues a direction to the respondent to implement the award of the Labour Court within a stipulated time. It is further submitted that liberty may also be reserved to the petitioner to work out his remedy before the appropriate forum in accordance with law for claiming the differential pay based on the recommendation of the Joint Director (Audit) dated 30.11.2004.

3/6



W.P(MD)No.7346 of 2023

WEB COPY

5. Recording the above submission, this writ petition is disposed of with a direction to the respondent to implement the award of the Labour Court dated 14.11.2022 and disburse the monetary benefits payable thereunder, if not already paid, within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that the petitioner is at liberty to work out his remedy in the manner known to law before the appropriate forum for claiming the differential pay based on the recommendation of the Joint Director (Audit) dated 30.11.2004. No costs.

07.07.2026

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

4/6



W.P(MD)No.7346 of 2023

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The General Manager,
The Tirunelveli District Cooperative
Milk Producers Union Ltd.,
Tirunelveli 7.



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W.P(MD)No.7346 of 2023

M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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