

In the Court of Labour Court, Kancheepuram.

**Present: Tmt.S.Sujatha, M.A.M.L.,
Presiding Officer, Labour Court,
Kancheepuram.**

Monday, the 15th day of June 2026

C.P.No.179/2021

CNR No.TNKP18-000343-2021

E.Kannappan,
C/o.General Secretary,
Ooraga Ullatchi Sugathara
Podhu Paniyalargal Sangam,
32/77, Thandavaraya Gramani
Street, Tondiarpet,
Chennai – 600 081.

--- Petitioner

//vs//

1 The President,
Kunnavakkam Panchayat,
Kunnavakkam Village,
Walajabad Taluk,
Kancheepuram District.

2 The Block Development Officer,
Wallajabath Panchayat Union,
Wallajabath Post,
Kancheepuram District – 631 605.

--- Respondents

This petition came up on 04.06.2026 for final hearing before this court in the presence M/s.T.Ramkumar A.Rekha, U.Manogar, D.Christopher, B.Manikavasham and M.Duhayasurya Advocate for Petitioner and M/s. A.K.Ramesh, Government Pleader for the respondents and upon perusal of

records and hearing the both side arguments and having stood over for consideration till this day, this court delivered the following

ORDER

1. Petition filed by the petitioner u/s.33C(2) of ID Act.1947, praying to the compute the money value of Rs.3,65,102/- and to direct the respondent to pay the same along with interest at the rate of 12%p.a.

2. The brief averments of the petition are as follows :-

Petitioner is employed under 1st respondent as Pump Operator/Over Head tank operator and has 30 years continuous service and is paid consolidated salary at Rs.4,240/-p.m. 1st respondent is under the control of 2nd respondent. As per G.O.(2D)No.62 Labour and Employment dated 11.10.2017, pay has been revised and as such, petitioner is entitled for salary of Rs.8000/- Dearness Allowance at Rs.3,502/-p.m. totaling Rs.11,502/-p.m. The said G.O. had been given effect from 22.11.2017 vide Notification No.47 dated 22.11.2017.

Petitioner is entitled to receive revised salary at the rate of R.11,502/-p.m. with effect from 22.11.2017. Respondent failed to pay the said amount. For the period from 01.12.2017 to 30.09.2021 a sum of Rs.3,65,102/- is payable to petitioner by respondents towards difference in salary as per the said G.O.

Hence this petition u/s.33(c)(2) of ID Act to compute the sum of Rs.3,65,102/- due to the petitioner and to direct the respondents to pay the same together with interest at the rate of 10%p.a.

3. The averments in the counter filed by the 1st respondent adopted by 2nd respondent is as follows :-

All the allegations except those which are expressly admitted herein are denied as false. It is true that the petitioner is working as Pump Operator/ Overhead Tank Operator under the 1st respondent Panchayatraj and receiving the payment towards salary to a tune of Rs.4,240/-p.m. Petition is filed with some ulterior motive in order to get benefit by misinterpreting the Government Order of the TamilNadu State on his own whims and fancies.

The petitioner is claiming the enhanced monthly salary through the Government Order of the Tamil Nadu State in G.O.(D)No.62, Labour and Employment Department Dated 11.10.2017 which is applicable to the Employees who are governed under the Labour and Employment Department. The petitioner is working under the Rural Development and Panchayatraj on a consolidated monthly payment scale which is governed under “The Rural Development and Panchayatraj Department. The payment received by the petitioner is not to be treated as monthly labour but is a monthly consolidated payment.

The claim of enhanced labour through the G.O.(D)No.62, Labour and Employment Department Dated 11.10.2017 is not applicable to the petitioner as he is not employed under the labour scheme. The monthly consolidated payment by the Rural Development and Panchayatraj Department is paying the above said payment to the petitioner under the G.O.(D)No.20, Rural

Development and Panchayatraj Department dated 04.02.2021. The petitioner is receiving the correct monthly payment towards enhanced consolidated payment of Rs.4,240/-p.m. as per the above said Government Order. The claim of petitioner is usurious and vexatious and the petitioner is not entitled to claim as per G.O.(D)No.62, Labour and Employment Department Dated 11.10.2017.

The 2nd respondent is paying the appropriate monthly consolidated pay as per the above said G.O.(D).No.20 Rural Development and Panchayatraj Department, Dated 04.02.2021 in the prescribed norms and eligibility. There is no merits or bonafides or cause of action in filing this petition. To dismiss the petition with exemplary costs of this respondent.

4. On the side of the petitioner, petitioner has been examined as PW1 and Ex.P1 to Ex.P14 are marked. On the side of the respondents, 2nd respondent has been examined as RW1 and Ex.R1 to R5 are marked.

5) The following points arises for determination

1. Whether petitioner is entitled to claim difference in salary as per G.O.(2D) No.62 dated 11.10.2017 by Labour and Employment Department?
2. To what other relief ?

Answer to Issue Nos. 1 &2

6. The fact that petitioner is working as Pump Operator/Overhead tank operator under 1st respondent and receiving consolidated pay of Rs.4,240/-p.m. is admitted by respondents.

7. The only contention of the respondents is that, petitioner is paid consolidated amount as per G.O.No.20, Rural Development and Panchayatraj Department dated 04.02.2021, Whereas, G.O.(2D) No.62 by Labour and Employment Department, dated 11.10.2017 is applicable only to employees who receive labour under Labour and Employment Department, hence this claim is not maintainable.

8. The petitioner to prove his claim has examined himself as PW1. Even in the evidence petitioner claims that he is entitled to receive salary as per G.O. (2D) No.62 dated 11.10.2017 by Labour and Employment Department.

9. Petitioner has produced the copy of the said G.O. as Ex.P1 Statements showing details of Dearness Allowance payable with effect from 01.04.2018, 01.04.2019, 01.04.2020, 01.04.2021 are filed as Ex.P2 to P5. The proceedings of the Collector Kancheepuram in Na.Ka.No.1480308/92/PC2 is filed as Ex.W6. The union has addressed a letter dated 04.10.2018 to Collector, Kancheepuram to pay them wages as per Minimum Wages prescribed in G.O. (2D)No.62 dated 11.10.2017 under Ex.W7. The same is received by District Collector, Kancheepuram and Ex.W8 Acknowledgment Card is proof for the same. Likewise petitioner has also addressed a letter dated 08.11.2011 to the respondents claiming arrears of wages under Ex.W9 and Ex.W10 Acknowledgment card is proof for service of the same. Petitioner had been issued with a service certificate Ex.W11 by President Kunnavakkam Panchayat, Petitioner has produced copy of the bank statement as Ex.P12 to show the

details of payment received by him. When respondent themselves have admitted that only consolidated pay has been made to petitioner, Ex.W12 bank statement has no relevance to consider. Petitioner claims Minimum Wages based on the letter addressed by Municipal Administrative Officer under Ex.P13 to all Municipal Corporation and Municipality directing to pay Minimum Wages to employees under them. Further the petitioner relies on the judgment of our Honble High Court in W.P.Nos.10844 to 10846/2005 dated 13.06.2011 in which it is held that overhead tank operators are entitled to receive salary as per prescribed Minimum Wages.

10. Petitioner relies on the above documents in support of his claim. Respondent in order to prove their stand have examined Block Development Officer of 2nd respondent office as RW1. RW1 has produced the G.O.No.119 dated 10.05.2000, G.O.No.15 dated 07.02.2011, G.O.No.76 dated 05.07.2017, G.O.No.20 dated 04.02.2021, G.O.No.1403 dated 26.06.1981 as Ex.R1 to R5 stating as per the above G.O.s, Petitioner is not entitled to claim difference in wages as per G.O.(2D) No.62 dated 11.10.2017 and has further stated that petitioner being employed under Rural Development and Panchayat Department, the G.O.(2D)No.62 dated 11.10.2017 being issued by Labour and Employment Department, the same is not applicable to petitioner. Whereas G.O.No.20 by Rural Development and Panchayatraj Department alone is applicable.

11. In such circumstances this court takes into consideration the Judgment dated 24.07.2025 of our Honble High Court in

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In which the Honble High Court has held that there is a dispute about applicability of the G.Os and each parties have referred separate G.Os. Therefore it is to be adjudicated by the appropriate Forum. Therefore the order passed by the Labour Court while exercising the jurisdiction u/s.33(c)(2) of ID Act by directing to pay minimum Wages based on the disputed G.O. is without jurisdiction and the same is liable to be quashed.

12. Considering the above Judgment this court decides that this computation petition is not maintainable, and the same is liable to be dismissed.

In the result, this petition is dismissed with observation that petitioner is at liberty to approach the appropriate forum in accordance with law in respect of the issue of applicability of Government Order issued in different orders. The Petitioner is entitled to the benefit of sec.14 of the limitation Act for the period of pendency of the proceedings. Parties to bear their own costs.

Dictated to the steno typist, directly typed by her, corrected and pronounced by me in the open court, this the 15th day of June 2026.

Presiding Officer,
Labour Court,
Kancheepuram.

List of witnesses examined**For the Petitioner:**

P.W.1 E.Kannappan

For the Respondent :

R.W1 Kannan

List of exhibits marked**For the Petitioner:**

Ex.P.1	11.10.2017	Copy of G.O.(2D)No.62
Ex.P.2	16.03.2018	Copy of Statements showing details of Dearness Allowance payable
Ex.P.3	18.03.2019	Copy of Statements showing details of Dearness Allowance payable
Ex.P.4	17.03.2020	Copy of Statements showing details of Dearness Allowance payable
Ex.P.5	16.03.2021	Copy of Statements showing details of Dearness Allowance payable
Ex.P.6	22.12.1992	Copy of letter in Na.Ka.No.1480308/92/PC2 by Collector, Kancheepuram
Ex.P.7	04.10.2018	Copy of Union letter addressed to the Collector, Kancheepuram District.
Ex.P.8	---	Copy of Acknowledgment Card
Ex.P.9	08.11.2021	Copy of letter addressed by Workers to the Management
Ex.P.10	---	Copy of Acknowledgment Card
Ex.P.11	---	Copy of Service Certificate.
Ex.P.12	---	Copy of Bank Statement of petitioner.
Ex.P.13	16.05.2018	Copy of letter addressed by Municipal Administrative Officer, Chennai.
Ex.P.14	13.06.2011	Copy of Order in W.P.Nos.10844 to 10846/2005

For the Respondent:

Ex.R.1 10.05.2000 Copy of G.O.Ms.No.119

Ex.R.2	07.02.2011	Copy of G.O.Ms.No.15
Ex.R.3	05.07.2017	Copy of G.O.Ms.No.76
Ex.R.4	04.02.2021	Copy of G.O.Ms.No.20
Ex.R.5	26.06.1981	Copy of G.O.Ms.No.1403

Presiding Officer,
Labour Court,
Kancheepuram.