



WEB COPY

WP No. 29779 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 29779 of 2026

AND

WMP Nos. 32739 & 32740 OF 2026

M/s.Coimbatore Murugan Mills
Rep. by its Authorised Signatory
Manager (Technical)
Mettupalayam Road,
Post Box No.7004
Coimbatore-641 043

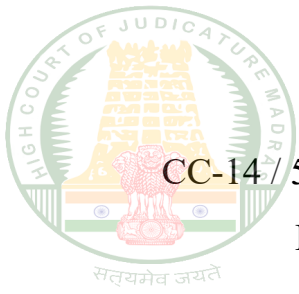
..Petitioner(s)

Vs

1. The Assistant Provident Fund Commissioner
Employees Provident fund Organization
Regional Office, Bhavishya Nidhi Bhavan,
having office at
Post Bod No.3875
Dr.Balasundaram road,
Coimbatore-641 018
2. The Assistant Provident Fund Commissioner
Employees Provident fund Organization
Regional Office, Chennai North
having office at
Bhavishya Nidhi Bhawan,
No.37, Royapettah High Road,
Chennai-600 014

..Respondent(s)

Writ Petition filed under Section 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 09.03.2026 passed under section 7Q of the EPF and MP act for the remittance of EPF Contribution paid from 06/2024 to 11/2025 (for the wage months of September 2022 to June 2023 November 24 to January 2025) in reference No.TN/RO/ CBE/ PDC/



CC-14/58/2026 passed by the first respondent herein and to quash the same.

For Petitioner(s):

Ms.T.Harshavardhinee

for Mr.K.R.Ramesh Kumar

WEB COPY For Respondent(s):

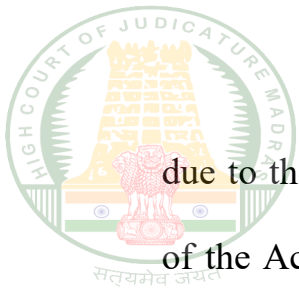
Mr.R.Vishnu

ORDER

The petitioner has filed this Writ Petition challenging the impugned proceedings of the first respondent dated 09.03.2026 passed under Section 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as 'the Act').

2. By the said impugned order, the respondent demanded interest for the belated remittance of Employees' Provident Fund (EPF) contributions for the periods from September 2022 to June 2023, and from November 2024 to January 2025.

3. According to the petitioner, the Mill has been facing severe financial distress for several years, which resulted in the suspension of its operations. Pursuant to a settlement arrived at with the trade unions, the petitioner has been paying only 50% wages to its employees. The petitioner contends that Mill was taken over by the National Textile Corporation, and despite the reduction in wages, it has been unable to generate revenue even to meet this 50% wage liability. It is further submitted that EPF contributions were remitted progressively as and when funds became available. The petitioner contends that



due to these peculiar financial distresses, the levy of interest under Section 7Q of the Act is unsustainable, thereby necessitating the intervention of this Court to waive or set aside the impugned demand.

4. It is a settled position of law that the quantification of interest under Section 7Q of the Act is mandatory and the statute does not provide an appellate remedy against an order passed under Section 7Q of the Act. Furthermore, it is well-established that regardless of peculiar circumstances faced by an establishment, this Court, exercising its extraordinary jurisdiction under Article 226 of the Constitution of India, cannot intervene to either waive, reduce, or set aside the statutory interest component levied under Section 7Q of the Act.

5. At this juncture, the learned counsel appearing for the petitioner submits that the petitioner does not press the challenge on merits but seeks a reasonable time to settle the demanded amount in instalments.

6. Considering the financial hardships pleaded by the petitioner and in the interest of justice, this Court is inclined to permit the petitioner to clear the arrears in instalments.

7. Accordingly, the petitioner is permitted to clear the total amount levied under Section 7Q of the Act in ten weeks. The entire amount shall be paid so as



to liquidate the entire liability on or before 02.11.2026. The respondents are directed not to take any coercive steps against the petitioner for recovery of the impugned demand until 02.11.2026. It is made clear that if the petitioner fails to settle the outstanding amount on or before 02.11.2026, the benefit of this order shall stand automatically vacated, and the respondent department shall be at liberty to initiate immediate coercive recovery actions in accordance with the law.

8. With the above observations and directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

29-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JAI

To
1. The Assistant Provident Fund Commissioner
Employees Provident fund Organization



Regional Office, Bhavishya Nidhi Bhavan,
having office at
Post Bod No.3875
Dr.Balasundaram road,
Coimbatore-641 018

2. The Assistant Provident Fund Commissioner
Employees Provident fund Organization
Regional Office, Chennai North
having office at
Bhavishya Nidhi Bhawan,
No.37, Royapettah High Road,
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K.SURENDER J.

JAI

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