



WEB COPY

WP No. 33415 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.Nos.33415, 33418 and 33421 of 2023

and

WMP Nos. 33150, 33145 and 33152 of 2023

and

W.M.P.Nos.17793, 17790 and 17788 of 2026

W.P.No.33415 of 2023

The Management
C.H. 22 Tamil Nadu Cooperative Textile
Processing Mills Limited, Represented By Its
Assistant Director Cum Administrator No 428,
Bhavani Mani Road, Erode 638 004

..Petitioner

Vs.

1. The Additional Commissioner Of Labour
Coimbatore (appellate Authority As Under The
Payment Of Gratuity Act 1973)
2. The Deputy Commissioner Of Labour
Salem (controlling Authority As Under The
Payment Of Gratuity Act 1972)
3. A. Chellaiah
S/o Aandi D. No 88, Perumanmalai R.N. Pudur
(po) -638 005, Erode Taluk And District
4. The Administrator
P.E. 62 Tamil Nadu Cooperative Textile
Processing Mills Employees Cooperative Thrift
And Credit Society Limited 97, Chinnamuthu
Veedhi, E.K. Valasu Erode 11

..Respondents



WP No. 33418 of 2023

The Management

C.H. 22 Tamil Nadu Cooperative Textile
Processing Mills Limited, Represented By Its
Assistant Director Cum Administrator No 428,
Bhavani Mani Road, Erode 638 004

..Petitioner(s)

Vs

1. The Additional Commissioner Of Labour
Coimbatore (appellate Authority As Under The
Payment Of Gratuity Act 1973)
2. The Deputy Commissioner Of Labour
Salem (controlling Authority As Under The
Payment Of Gratuity Act 1972)
3. K. Ganapathy
S/o Karuppusamy D. No 1 / B, North
Velliyampalayam Solipalayam (po) 638 115,
Erode Taluk And District
4. The Administrator
P.E. 62 Tamil Nadu Cooperative Textile
Processing Mills Employees Cooperative Thrift
And Credit Society Limited 97, Chinnamuthu
Veedhi, E.K. Valasu Erode 11

..Respondent(s)

W.P.No.33421 of 2023:

The Management

C.H. 22 Tamil Nadu Cooperative Textile
Processing Mills Limited, Represented By Its
Assistant Director Cum Administrator No 428,
Bhavani Mani Road, Erode 638 004

..Petitioner(s)

Vs

1. The Additional Commissioner Of Labour
Coimbatore (appellate Authority As Under The
Payment Of Gratuity Act 1973)
2. The Deputy Commissioner Of Labour
Salem (controlling Authority As Under The



Payment Of Gratuity Act 1972)

3. S.R. Ganesan

S/o Ramiah, D. No 65, Kurinji Nagar
Suriyampalayam, R.N. Pudur (po) 638 005
Erode Taluk And District

4. The Administrator

P.E. 62 Tamil Nadu Cooperative Textile
Processing Mills Employees Cooperative Thrift
And Credit Society Limited 97, Chinnamuthu
Veedhi, E.K. Valasu Erode 11

..Respondent(s)

Writ Petition No.33415 of 2023 is filed under Article 226 of the Constitution of India, calling for the records of the 1st respondent in his proceedings bearing A.Thi.Mu.No.Aa/3793/2023, dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court

W.P.No.33418 of 2023 is filed under Article 226 of the Constitution of India, calling for the records of the 1st respondent in his proceedings bearing A.Thi.Mu.No.Aa/3792/2023, dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court.

W.P.No.33421 of 2023 is filed under Article 226 of the Constitution of India, calling for the records of the 1st respondent in his proceedings bearing A. Thi.Mu.No.Aa/3794/2023 dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court.



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For Petitioner in all
W.Ps.:

Mr.G.Ilamurugu

For Respondents
in all W.Ps.:

Mr.R.Chakkaravarthy, Govt Counsel for RR1&2 ,
Mr.B.Mohan for R3 ,
R4 - No appearance

COMMON ORDER

Writ Petition No.33415 of 2023 is filed under Article 226 of the Constitution of India, calling for the records of the 1st respondent in his proceedings bearing A.Thi.Mu.No.Aa/3793/2023, dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court

2. W.P.No.33418 of 2023 is filed under Article 226 of the Constitution of India, calling for the records of the 1st respondent in his proceedings bearing A.Thi.Mu.No.Aa/3792/2023, dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court.

3. W.P.No.33421 of 2023 is filed under Article 226 of the Constitution of



India, calling for the records of the 1st respondent in his proceedings bearing A.

Thi.Mu.No.Aa/3794/2023 dated 13.09.2023 and to quash the same and consequently direct the 1st Respondent to take the appeal filed by the petitioner on file and to pass appropriate orders within a time frame that may be fixed by this Court.

4. The writ petitioner/Management is seeking a direction from this Court to quash the impugned order dated 13.09.2023, whereby, the appeals filed under Section 7 of the Payment of Gratuity Act, before the first respondent/Additional Commissioner of Labour, were dismissed, on the ground that the appeals were filed beyond 120 days and the time prescribed under Section 7(7) of the said Act, is only 60 days and with an extension of 60 days for the reasons to be recorded. Since 120 days have passed, the said appeals were dismissed for filing the appeals beyond the limitation period.

5. The only ground raised by the learned counsel for the petitioner/Management is that the lower staff did not inform the Managing Director about the order passed, for which reason, there was a delay in filing the statutory appeals.

6. The said ground cannot be made the basis to condone the delay under Section 7(7) of the Payment of Gratuity Act, if the appeals are filed beyond 120



days, thereby, the question of entertaining such appeals, does not arise.

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7. This Court, under Article 226 of the Constitution of India, cannot extend the period of limitation prescribed under Section 7(7) of the Payment of Gratuity Act.

8. For the aforesaid reasons, these Writ Petitions are dismissed. There shall be no order as to costs. Consequently, the Miscellaneous Petitions are closed.

(K.SURENDER, J)

17-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Management

C.H. 22 Tamil Nadu Cooperative Textile
Processing Mills Limited, Represented By Its
Assistant Director Cum Administrator No 428,
Bhavani Mani Road, Erode 638 004

2.

The Additional Commissioner of Labour
Coimbatore (appellate Authority as under the
Payment of Gratuity Act 1973)



3. The Deputy Commissioner Of Labour
Salem (controlling Authority as under the
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Mills Employees Cooperative Thrift And Credit
Society Limited,
97, Chinnamuthu Veedhi, E.K.Valasu
Erode -11.



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WP No. 33415 of 2



K. SURENDER, J

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W.P.Nos.33415, 33421 and 33418 of 2023
and connected W.M.Ps.

17.07.2026