



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 4102 of 2025

AND

WP NO. 4287 OF 2025, WP NO. 4157 OF 2025, WP NO. 4262 OF 2025, WMP NO. 4798 OF 2025, WMP NO. 4799 OF 2025, WMP NO. 4636 OF 2025, WMP NO. 4641 OF 2025, WMP NO. 4663 OF 2025, WMP NO. 4741 OF 2025, WMP NO. 4771 OF 2025, WMP NO. 4787 OF 2025, WP NO. 39470 OF 2024, WMP NO. 42714 OF 2024, WMP NO. 42715 OF 2024

The Management Director
Dharmapuri District Co-operative Sugar Mills
Ltd, Jerthalav Post, Palacode Taluk, Dharmapuri
District 636808

..Petitioner(s)

Vs

1. The Appellate Authority/additional
Commissioner Of Labour
(appellate Authority Under The Payment Of
Gratuity Act 1972) Coimbatore-18
2. The Controlling Authority
Under The Payment Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem.
3. Mr.M.Rajendran

..Respondent(s)

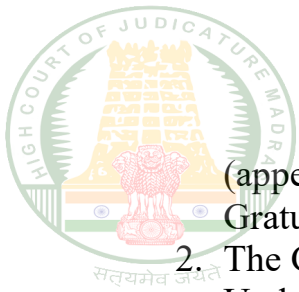
WP No. 4287 of 2025

The Management Director
Dharmapuri District Co-operative Sugar Mills
Ltd, Jerthalav Post, Palacode Taluk, Dharmapuri
District 636808

..Petitioner(s)

Vs

1. The Appellate Authority/additional
Commissioner Of Labour



(appellate Authority Under The Payment Of
Gratuity Act 1972)coimbatore-18

2. The Controlling Authority

Under The Payment Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem.

3. Mr.M.Kaliyappan

..Respondent(s)

WP No. 4157 of 2025

The Management Director
Dharmapuri District Co-operative Sugar Mills
Ltd,Jerthalav Post,Palacode Taluk,Dharmapuri
District 636808

..Petitioner(s)

Vs

1. The Appellate Authority/additional
Commissioner Of Labour
(appellate Authority Under The Payment Of
Gratuity Act 1972)coimbatore-18
2. The Controlling Authority
Under The Payment Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem.

3. Mr.V.Murugesan

..Respondent(s)

WP No. 4262 of 2025

The Management Director
Dharmapuri District Co-operative Sugar Mills
Ltd,Jerthalav Post,Palacode Taluk,Dharmapuri
District 636808

..Petitioner(s)

Vs

1. The Appellate Authority/additional
Commissioner Of Labour
(appellate Authority Under The Payment Of
Gratuity Act 1972)coimbatore-18
2. The Controlling Authority



Under The Payment Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem.

3. Mr.S.Mangammal

..Respondent(s)

WP No. 39470 of 2024

The Management Rep By G.Yogavishnu,
Dharmapuri District Co-operative Sugar Mills Ltd,
Jerthalav Post, Palacode Taluk, Dharmapuri
District-636 808

..Petitioner(s)

Vs

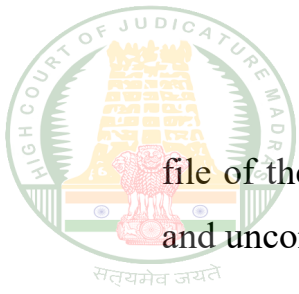
1. The Appellate Authority/additional
Commissioner Of Labour
(appellate Authority Under The Payment Of
Gratuity Act 1972), Coimbatore-18
2. The Controlling Authority
Under The Payment Of Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem
3. K.Muniraj

..Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 06.07.2023 passed in A.Thi.Mu.Nos.2569/2023 on the file of the 1st Respondent and the order dated 27.12.2022 passed in P.G.No.119 of 2022 on the file of the 2nd Respondent herein and quash the same.

WP No. 4287 of 2025

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 06.07.2023 passed in A.Thi.Mu.Nos.2565/2023,2566/2023 on the file of the 1st Respondent and the order dated 21.02.2023 passed in P.G.No.127of 2022 on the



file of the 2nd Respondent herein and quash the same as being illegal,arbitrary and unconstitutional and pass

WP No. 4157 of 2025

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Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 06.07.2023 passed in A.Thi.Mu.Nos.2565/2023,2566/2023 on the file of the 1st Respondent and the order dated 21.02.2023 passed in P.G.No.132 of 2022 on the file of the 2nd Respondent herein and quash the same as being illegal,arbitrary and unconstitutional.

WP No. 4262 of 2025

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 06.07.2023 passed in A.Thi.Mu.Nos.2556/2023 on the file of the 1st Respondent and the order dated 09.05.2022 passed in P.G.No.18 of 2022 on the file of the 2nd Respondent herein and quash the same as being illegal, arbitrary and unconstitutional.

WP No. 39470 of 2024

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorari to call for the records relating to the order dated 6.7.2023 passed in A.Thi.Mu.Nos.2566/2023 2565/2023 on the file of the 1st respondent and the order dated 7.3.2023 passed in P.G.No.104 of 2022 on the file of the 2nd respondent herein and quash the same.

For Petitioner(s): Mr.R.Balaramesh in all WPs'

For Respondent(s): Mr.R.Chakkaravathy, Government Counsel for R1 and R2 in all Wps'
Mr.K.V.Shanmuganathan for R3 in WP.No.39470 of 2024
R3-NA in WP,Nos.4102, 4157, 4262 & 4287 of 2025



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WP No. 4102 of 2



COMMON ORDER

Since the issues involved in all the Writ Petitions are one and the same, these petitions are being disposed of by this common order.

2. These Writ Petitions have been filed challenging the order dated 06.07.2023 passed by the first respondent in the respective Writ Petitions vide A.Thi.Mu.Nos. 2565/2026, 2566/2023, 2556/2023, and 2569/2023, as well as the orders passed by the second respondent in the respective Writ Petitions in P.G. Nos. 18, 104, 119, and 132 of 2022, vide orders dated 09.05.2022, 07.03.2023, 27.12.2022, and 21.02.2023 respectively.

3. The grievance of the petitioner is that although an appeal was filed before the Appellate Authority / Additional Commissioner of Labour, the said authority refused to entertain it on the ground that it is barred by limitation under Section 7(7) of the Payment of Gratuity Act, 1972. As per Section 7(7) of the Payment of Gratuity Act, 1972, any person aggrieved by an order under subsection (4) may, within a period of 60 days from the date of receipt of a copy of the order, prefer an appeal. Further time can be extended only for a period of 60 days, making it a total of 120 days. In view of the said provision, the question of



extending the period of limitation beyond 120 days does not arise.

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4. Even in cases where, the monetary payment of pre-deposit to entertain the appeal was not made, the Tribunal was right in dismissal of the appeal on the ground of non payment of pre-deposit. This Court does not find any infirmity in the order passed by the Appellate Authority / Additional Commissioner of Labour in refusing to entertain the appeal on the grounds of limitation. Under both circumstances wherein appeal is filed beyond 120 days or pre-deposit to entertain the appeal is not made, such appeals cannot be entertained and rightly dismissed by the forum below.

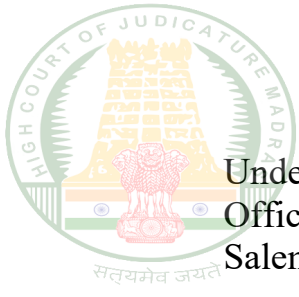
6. The Writ Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

K.SURENDER J.
02-07-2026

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

JAI
To

1. The Appellate Authority/additional Commissioner Of Labour
(appellate Authority Under The Payment Of Gratuity Act 1972)coimbatore-18
2. The Controlling Authority

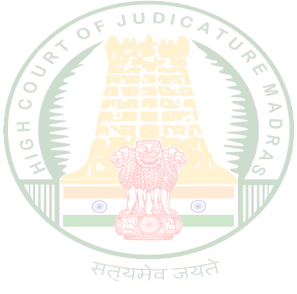


WP No. 4102 of 2



Under The Payment Of Gratuity Act 1972,
Office Of The Joint Commissioner Of Labour,
Salem.

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WP No. 4102 of 2



K.SURENDER J.

JAI

WP No. 4102 of 2025

AND

**WP NO. 4287 OF 2025, WP NO. 4157 OF 2025, WP NO. 4262 OF
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