



WEB COPY

W.A.No.1474 of 2025



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

**THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

**W.A.No.1474 of 2025
and
C.M.P.No.11298 of 2025**

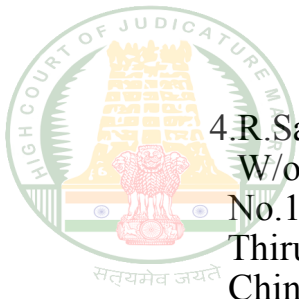
The Management of C.R. Spinners,
Rep. by its Partner Rajesh Manohar,
S/o.Late R.Manohar,
Subramaniyampalayam,
G.N.Mills Post,
Coimbatore - 641 029.

...

Appellant

versus

- 1.The Appellate Authority,
Authority under the payment of Gratuity Act,
Additional Commissioner of Labour,
Coimbatore - 18.
- 2.The Controlling Authority
Authority under the Payment of Gratuity Act /
Deputy Commissioner of Labour,
Coimbatore.
- 3.P.Palaniammal,
W/o.Venugopal,
Site No.13, P.Balaji Nagar,
N.G.G.O. Colony (West),
Vattamalaipalayam,
Coimbatore - 641 022.



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4.R.Sarasu,
W/o.Ravi Sundararaj,
No.13A, Mariamman Koil Street,
Thirumalai Nagar, Udayampalayam,
Chinnavedampatti (West),
Coimbatore - 641 049.

5.R.Lalitha,
W/o.Rajendran,
No.199/33, Anjugam Nagar,
Udayampalayam,
Chinnavedampatti (West),
Coimbatore - 641 029.

6.M.Rangathal,
W/o.Meenakshi Sundaram,
No.10/15, Mahalakshmi Layout,
Subramaniyampalayam (West),
GN Mills Post, Coimbatore - 641 029.

7.N.Mani,
S/o.Nagaraj,
2/289, Kuttai Road,
Chinnathadagam (West),
Coimbatore - 641 108.

8.N.Kuppathal,
W/o.Nanjukutti,
No.10, Sasthri Street,
Umondampalayam, Coimbatore - 641 029.

9.C.Maragatham,
W/o.Marimuthu,
No.2/71, Arjun Avenue,
Gandhi Colony,
NGGO Colony (West),
Sengalipalayam,
Coimbatore - 641 022.

10.G.Jothimani,
W/o.(Late) Ganesan,
No.2/3-B, Sankar Nagar,
Maniakaranpalayam, Idikarai (West),
Coimbatore - 641 022.

2/6



11.K.Kaliyammal,
W/o.(Late) Kuppusamy,
No.2/71, Arjun Avenue,
Gandhi Colony, NGGO Colony (West),
Sengalipalayam, Coimbatore - 641 022.

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12.M.Maragatham,
W/o.P.Marudachalam,
No.5/9, Poombuhar Nagar,
Thudiyalur, Coimbatore - 641 034. ...

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P.No.2716 of 2025 dated 03.02.2025.

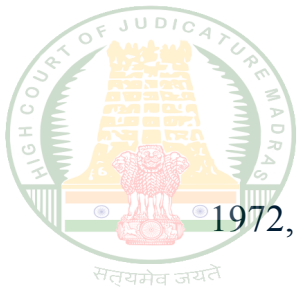
For Appellant : Mr.S.Saravanan

J U D G M E N T

(Judgment of the Court was made by **R.SUBRAMANIAN, J.**)

Challenge in this appeal is to the order of the Appellate Authority under the Payment of Gratuity Act in refusing to condone the delay in filing the appeal against the order of the Controlling Authority made under Section 7 (4) of the said enactment.

2. The order of the Controlling Authority is dated 31.05.2023. The appeal was filed on 28.11.2024, that is nearly a year and a half after the order of the Controlling Authority. Section 7(7) of the Payment of Gratuity Act provides for an appeal against the order made under sub-section (4) to Section 7.



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3. First Proviso to sub-section (7) of the Payment of Gratuity Act, 1972, reads as follows:-

“Provided that the appropriate Government or the appellate authority, as the case may be, may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of sixty days, extend the said period by a further period of sixty days.” (Emphasis Supplied)

4. A reading of the above provision would show that the Appellate Authority does not enjoy powers to condone the delay beyond a period of 60 days. Though the learned counsel would fervently urge that the delay was caused due to the *bona fide* reasons, we are unable to fault either the Appellate Authority or the learned single Judge for having declined the prayer for condonation of delay in filing the appeal in view of the peremptory language of sub-section (7) to Section 7 of the Payment of Gratuity Act.

5. We therefore see no infirmity in the order passed by the learned single Judge. The Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, connected Miscellaneous Petition is closed.

(R.S.M., J.) (K.G.T., J.)
09.06.2025

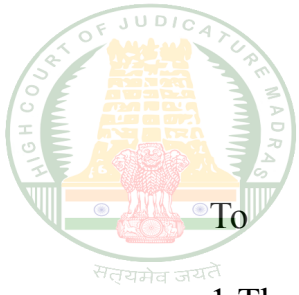
Speaking order

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