



WEB COPY

WP No.37053 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.09.2025

THE HON'BLE MRS JUSTICE N.MALA

WP No.37053 of 2025

and

WMP No.41450 of 2025

M/s.Oragadam City Developers Private Limited,
No.5, Giri Road, T.Nagar, Chennai- 600 017,
Rep. by its Authorised Signatory,
Mr.C.V.Lakshman.

...Petitioner

Vs.

1.Regional Provident Fund Commissioner-I,
Employees Provident Fund Organisation,
Regional Office,
No.37, Royapettah High Road,
Chennai- 600 014.

2. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office,
No.37, Royapettah High Road,
Chennai-600 014.



3. The Recovery Officer,
Chennai South,
Employees Provident Fund Organisation,
Regional Office,
No.37, Royapettah High Road,
Chennai-600 014.

....Respondents

Writ petition is filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the entire records pertaining to the order in EPFA 70/2020, dated 31.07.2025 passed by the Central Government Industrial Tribunal cum Labour Court, Chennai and quash the same illegal, violative and permit petitioner to comply with the conditional order as contemplated under 7A of the Employee Provident Fund Act.

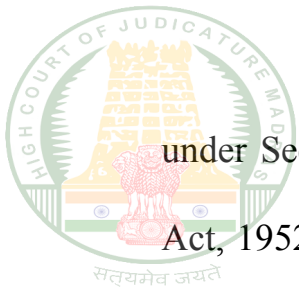
For Petitioner(s) : Mr.K.Mohanamurali

For Respondent(s): Mr.R.Vishnu

ORDER

The writ petition is filed challenging the order passed in EPFA 70/2020, dated 31.07.2025 and to quash the same.

2. The petitioner is engaged in the business of promoting satellite township and construction of buildings. Whiles, the 2nd respondent initiated proceedings



under Section 7-A of Employees' Provident Funds and Miscellaneous Provisions

Act, 1952, for the period April 2013 to July 2015. The 2nd respondent vide order

dated 29.08.2019, assessed the contribution at Rs.3,92,34,113/- for the aforesaid

period. The petitioner challenged the said 7-A order before the Central Government Industrial Tribunal-cum-Labour Court, Chennai in EPFA 70/2020.

In the appeal, on 02.02.2022, the Tribunal passed a conditional stay order, directing the Appellant to deposit 55% of the 7-A order, within a period of three

months from the date of the order, as a pre condition to entertain the Appeal on

merits. The petitioner challenged the said order in W.P.No.11763 of 2022. This

Court disposed of the writ petition on 19.10.2024, granting the petitioner four

weeks time from the date of receipt of copy of the order for complying with the

order of pre-deposit as ordered by the Tribunal. However, since the petitioner did

not comply with the conditional order of pre-deposit, the Appeal was dismissed by

the impugned order dated 31.07.2025. Aggrieved by the impugned order, the

petitioner has filed the above writ petition for the aforesaid relief.

3. The learned counsel for the petitioner submits that the petitioner has a good case on merits and therefore an opportunity should be given to the petitioner to pay the conditional deposit amount and contest the Appeal on merits. The learned counsel for the petitioner submits that the petitioner pledged his property

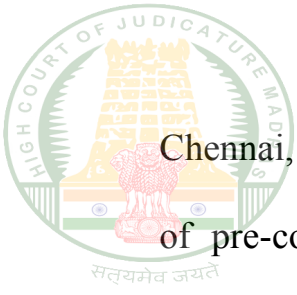


to raise the 55% pre-deposit amount. The learned counsel therefore submits that this Court may impose any further conditions, as deemed appropriate and that the petitioner would comply with the same.

4. The learned counsel for the respondents on the other hand submitted that, no indulgence would be shown to the petitioner, since the petitioner has successfully dragged on the proceedings from 2019.

5. I heard both the learned counsels and perused the materials placed on record.

6. Under the facts and circumstances of the case, this Court is of the opinion that it will be appropriate to enhance the conditional pre-deposit amount to 75%, so as to balance the interest of both parties. The petitioner is directed to deposit 75% of the assessed amount under Section 7-A order, within a period of three weeks from the date of receipt of a copy of this order, to the 1st respondent. The petitioner shall thereafter along with the proof of payment, submit a restoration petition to the Central Government Industrial Tribunal-cum-Labour Court, Chennai. The Central Government Industrial Tribunal-cum-Labour Court,



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Chennai, on receipt of the restoration petition along with proof of payment of 75% of pre-conditional deposit amount, shall hear the matter on merits and pass appropriate orders in accordance with law, within a period of twelve weeks thereafter.

Writ petition is accordingly disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

25.09.2025

Index:Yes/No

Speaking Order:Yes/No

Neutral Citation:Yes/No

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To

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N.MALA,J.

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