



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 6493 of 2026
and W.M.P.No.7049 of 2026**

M/s.K.R.T.A.Varatharaj Educational
and Charitable Trust,
in R/o.Renganayagi Engineering,
Salvarpatti-Thayilpatti Post,
Virudhunagar District,
Through its Secretary

..Petitioner

Vs

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
District Office, AKM Complex,
Old Virudhunagar Road,
Sivakasi- 625 189.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the Central Government Industrial Tribunal cum Labour Court, Chennai dated 08.01.2026 passed in M.P.No.103 of 2025 in EPFA.No.143 of 2023 and quash the same and allow this writ petition and direct the Central Government Industrial Tribunal cum Labour Court, Chennai to take in EPFA No.143 of 2023 on file and decide the appeal on merits by hearing the petitioner/ appellant on merits.

For Petitioner:

Mr.P.Chandrasekaran

For Respondent:

Mr.P.K.Paneer Selvam

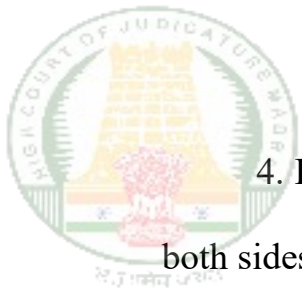


ORDER

The writ petition is filed challenging the order of the Central Government Industrial Tribunal cum Labour Court, Chennai, dated 08.01.2026 passed in M.P.No.103 of 2025 in E.P.F.A.No.143 of 2023 and to quash the same.

2. The E.P.F.A.No. 143 of 2023 was filed by the petitioner herein and it was dismissed for default on 06.11.2025. As per Rule 15 of the Employees' Provident Fund Appellate Tribunal (Procedure) Rules, 1997, any appeal which was dismissed for default can be restored to file if the appellant thereafter appears and satisfies the Tribunal that there was sufficient cause for his non-appearance. The said application has to be filed within a period of 30 days. There is no express provision for entertaining a condone delay application and stating so, the M.P. No.103 of 2025 filed by the appellant to condone the delay of 14 days in filing the application to restore the appeal back to file was dismissed by the Tribunal.

3. Mr.P.K.Paneer Selvam, the learned counsel taking notice on behalf of the respondent would submit that as per Rule 15(2) of the Employees' Provident Fund Appellate Tribunal (Procedure) Rules, 1997, the Rule envisages that the application should be filed only within 30 days and no power of condonation of delay is granted.



4. I have considered the said submissions made by the learned counsel on both sides.

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5. The nature of contentions raised by the petitioner in the appeal deserve consideration on merits. Considering the overall facts and circumstances of the case, an opportunity may be granted to the petitioner.

6. In view thereof, the impugned order in M.P.No.103 of 2025 dated 08.01.2026 shall stand set aside. The M.P.No.103 of 2025 for condonation of delay stands allowed and the consequential M.P. for restoring the appeal on file also stands allowed and let the appeal in E.P.F.A.No.143 of 2023 be posted formally for hearing on 10.03.2026 or any subsequent date as the Tribunal may think fit and the appellant shall appear without fail and prosecute the appeal and cooperate for the early disposal of the appeal. Since the counter is said to have been filed, the appeal be disposed of as expeditiously as possible, in any event not later than four months from the date of receipt of the web copy of this order.

7. With the above directions, the writ petition stands *disposed of*. Consequently, connected miscellaneous petition is also closed. No costs.

25-02-2026

Neutral Citation: Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

NSL

To
The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
District Office, AKM Complex,
Old Virudhunagar Road,
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