



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 8369 of 2026

and

W.M.P.Nos.9061 & 9063 of 2026

M/s.Shri Ram Trust,
Tindivanam Main Road,
Omandur Village, Tindivanam Taluk,
Villupuram District - 604 102,
Rep. by its Trustee Mr.S.Raghuraman.

..Petitioner

Vs

1. Regional Provident Fund Commissioner – II,
Employees Provident Fund Organisation,
Regional Office, P.B.No.588,
Sree Complex, D Block,
No. 18, Madurai Road,
Trichy - 620 008.
2. The Presiding Officer,
Central Government Industrial Tribunal Cum
Labour Court & Employees Provident,
Fund Appellate Tribunal,
Shastri Bhavan, Haddows Road,
Nungambakam, Chennai - 600 006.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 25.07.2025 made in EPFA No.138 of 2022 on the file of Central Government Industrial Tribunal Cum Employees Provident Fund Appellate Tribunal, Chenani and to quash the same and consequently direct the Tribunal to restore EPFA No.138 of 2022.



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For Petitioner:

Mr.R.Jayaprakash

For Respondents:

Mr.Paneer Selvam for R1

Mr.K.Balaji for R2

ORDER

The writ petition is filed challenging the order passed in EPFA No.138 of 2022 dated 25.07.2025.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it can be seen that when the petitioner moved an interim prayer for stay in the appeal filed against the order under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the Tribunal imposed a condition to deposit 45% of the assessment amount. It is stated that the petitioner was able to deposit only a sum of Rs.10,00,000/- and the balance was not deposited. Therefore, the above order dated 25.07.2025 came to be passed.

3. The learned counsel appearing on behalf of the petitioner would submit that the condition imposed was harsh and even when the petitioner was trying to mobilise the funds, no extension of time was granted.

4. *Mr.Paneer Selvam*, the learned counsel takes notice for the first respondent and he would submit that since the conditional order has not been



complied with, the appeal is dismissed.

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5. Mr.K.Balaji, the learned counsel takes notice for the second respondent.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. It can be seen that now, under the Code of Social Security, 2020 for entertaining the appeal only 25% of the amount is mandated. Under the said circumstances, since the total amount in the present case is said to be Rs.69,01,434/- and the petitioner has already deposited a portion, the appeal can be considered on its own merits.

8. In view thereof, this writ petition is ***allowed*** on the following terms:

(i) The petitioner shall deposit the sum of Rs.10,00,000/- in two monthly instalments, that is, Rs.5,00,000/- on or before 05.04.2026 and the second instalment on or before 05.05.2026.

(ii) Upon such deposit, the impugned order dated 25.07.2025 made in EPFA No.138 of 2022 shall stand set aside and EPFA No.138 of 2022 shall stand



remitted to the file of the second respondent for disposal on merits. Once the conditional order imposed by this Court is complied with, EPFA No.138 of 2022 shall thereafter be considered on its own merits in accordance with law and disposed of on or before 31.08.2026.

(iii) Consequently, connected W.M.P.No.9061 of 2026 is ordered and W.M.P.No.9063 of 2026 is closed. No costs.

26-02-2026

Neutral Citation: Yes/No

NSL

To

1. Regional Provident Fund Commissioner – II,
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No. 18, Madurai Road,
Trichy - 620 008.

2. The Presiding Officer,
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Fund Appellate Tribunal,
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D.BHARATHA CHAKRAVARTHY, J.

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