



WEB COPY



W.A.No.765 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

W.A.No.765 of 2026

and

C.M.P.No.7881 of 2026

The Assistant Provident Fund Commissioner
Sub-Regional Office
Employees Provident Fund Organization
S.J.Plaza, Swarnapuri
Salem – 636 004.

... Appellant

vs.

M/s.Mahatma Gandhi Matriculation School
Pochampalli Taluk
Krishnagiri – 635 206.

... Respondent

Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order passed by the learned Judge in W.P.No.17888 of 2023 dated 19.08.2025.

For Appellant

:

Ms.R.Meenakshi

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JUDGMENT

[Judgment of the Court was made by **S. M. SUBRAMANIAM, J.,**]

The writ order dated 19.08.2025 passed in W.P.No.17888 of 2023 is under challenge in the present intra-Court appeal.

2. The writ Court rejected the writ petition mainly on the ground of delay and laches. The findings of writ Court would show that the Appellate Authority has passed an order on 16.10.2014 and the writ petition came to be filed by the appellant on 07.06.2023. Except for the reason that the learned counsel for the appellant has not sent a copy of the order to the appellant, there is no other acceptable reason stated even in the writ affidavit filed by the appellant. Taking note of the said fact, the writ Court rejected the writ petition on the ground of delay and laches.

3. The delay of 9 years on the part of the Department is uncondonable. Such an uncondonable delay cannot be condoned by the Courts in a routine manner, though there is no time limit prescribed to entertain a writ petition under Article 227 of the Constitution of India. In the event of entertaining such writ petitions beyond a reasonable period, it would undoubtedly, cause prejudice to the interest of other parties, since



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the order became final long back and the writ Court also rejected the petition on the ground of delay of 9 years. Thus, this Court is not inclined to entertain the writ appeal and consequently, the same stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

(S.M.S.,J.) (K.S.,J.)
27.03.2026

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

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**S. M. SUBRAMANIAM, J.,
and
K. SURENDER, J.,**

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