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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP No. 44530 of 2026

and WMP.Nos.49989 & 49992 of 2026

CNR: {HCMA012588542026}

M/s.Perunthalaivar Kamaraj
Krishi Vigyan Kendra
Represented by its Program Coordinator,
Kurumbapet,
Puducherry 605 009.

..Petitioner(s)

Vs

Recovery Officer/ The Regional Provident Fund
Commissioner -II
Employees Provident fund Organization,
Regional Office
Puducherry- 605 004.

..Respondent(s)

Prayer**:** Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for records relating to the order dated 09.07.2024 passed by Central Government Industrial Tribunal- Cum-Labour Court, Chennai in Appeal No.26/ 2019 and consequential Prohibitory order dated 25.09.2026 in No.TBM /RO / PDY / Recovery /PC/ 567/ Div- II /2026/ 89307 passed by the respondent and quash the same and pass orders.

For Petitioner(s): Mr.J.Kumaran,

Government Pleader for Puducherry

For Respondent(s): Mr.K.Prabakar

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ORDER

The present writ petition has been filed for issuance of a Writ of Certiorari to call for records relating to the order dated 09.07.2024 passed by the Central Government Industrial Tribunal – Cum - Labour Court, Chennai in Appeal No.26/ 2019 and consequential Prohibitory order dated 25.09.2026 in No.TBM /RO / PDY / Recovery /PC/ 567/ Div- II /2026/ 89307 passed by the respondent and quash the same.

2. With the consent of both the parties, this writ petition is disposed of at the admission stage.

3. In this writ petition the petitioner has challenged the impugned order passed by the Central Government Industrial Tribunal Cum Labour Court, Chennai in Appeal No.26/2019 dated 09.07.2024 whereby the petitioner's appeal against Section 14(B) (Damages) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 has been dismissed on account of non prosecution.

4. By the aforesaid order dated 15.11.2018, the petitioner has been imposed with a penalty of Rs.29,22,466/- and aggrieved by the same the petitioner had filed an appeal before the said Tribunal in time. However, the appeal was dismissed for non prosecution. The relevant paragraph from the

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affidavit filed in support of this writ petition has been extracted hereunder:-

> ***"10. Further I respectfully submit that the Dealing Assistant who was the legal representative of the Kendra had lost his lives while in service on 19.04.2026. As such, the then Principal cum Programme Co-ordinator had superannuated from service on the afternoon of 30.09.2025. The dismissal for non-prosecution order issued by the Hon'ble Tribunal, Chennai earlier issued has come to our knowledge only after receipt of the Prohibitory Order dated 25.09.2026 due to which, the file processing could not be done in time as the present administrative echelons are new set up as per the Government appointment which caused reasonable delay on the part of the Kendra which is prayed to be condoned***.

5. It is noticed that pursuant to the dismissal of the appeal a prohibitory order has been issued by the respondent on 25.09.2026 whereby the petitioner has been called upon to pay a sum of Rs.22,29,466/- as against Rs.29,22,466/- imposed under Section 14(B) by the authority on 15.11.2018. Thus it appears that a sum of Rs.2,00,000/- has already been recovered towards damages.

6. The petitioner appears to be a Government of Puducherry Department and is engaged in research and extension activities in the field of Agricultural and allied disciplines in the Union Territory of Puducherry and it is a service oriented organisation of the Government which was commenced in the year 1974. It is noticed that the Government of India has also ruled out an amnesty scheme namely VISHWAS.

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7. Considering the over all facts and circumstances of the case and considering the status of the petitioner and considering the fact that a sum of Rs.2,00,000/- has already been recovered from the petitioner towards damages imposed under Section 14(B) on 15.11.2018 by the Assistant Provident Fund Commissioner (PDC) Pondicherry, this writ petition can be disposed by quashing the impugned order subject to deposit of another Rs.5,00,000/- (Rupees Five Lakhs Only) by the petitioner within a period of 30 days from today.

8. Subject to petitioner depositing the aforesaid amount within such period the impugned order shall stand quashed in which case the appeal that was dismissed for default by the Tribunal shall stand restored to the file of the said Tribunal. Meanwhile it is open for the petitioner to explore the possibility of settling the dispute under the aforesaid amnesty scheme namely VISHWAS.

9. With the above observation and direction, this writ petition is disposed of. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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C.SARAVANAN, J.

DPQ

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To
The Recovery Officer/ The Regional
Provident Fund Commissioner -II
Employees Provident fund Organisation,
Regional Office
Puducherry- 605 004.

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