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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.31895 of 2025
and W.M.P(MD)No.25097 and 27723 of 2025

Chinnadurai

... Petitioner

- Vs. -

1. The Appellate Authority
under the Payment of Gratuity Act,
O/o. the Additional Commissioner of Labour,
CSC Compound 3rd Floor,
Sengulam Colony,
Tiruchirappalli 620 020.
2. The Controlling Authority
under the Payment of Gratuity Act,
(Deputy Commissioner of Labour),
Collectorate Complex,
Dindigul.
3. K.Karuppasamy,
Managing Director,
Parani Spinning Mills Pvt Ltd,
Karukkampatti Post,
Vedasandur, Dindigul District - 624710.
4. Hari Sastivel,
Executive Director,
Parani Spinning Mills Pvt Ltd,
Karur Road, Karukkampatti,
Vedasandur,



Dindigul District - 624 710.

.. Respondents

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Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, calling for the records of the 1st Respondent pertaining to P.G.I.A.No.31/2024 and the order dated 22.08.2025 passed therein, allowing the application for condone delay in filing appeal against the common order passed by the 2nd respondent dated 15.02.2024 in P.G. No.92/2023, SET ASIDE the same.

For Petitioner : Mr.M.Ganesan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader
for R1 and R2

: Mr.M.Arumugam for R3

ORDER

The petitioners, who are the employees of the third respondent before this Court challenging the order dated 11.09.2025 passed by the first respondent in PGIA.No.30 of 2024 and 32 of 2024. By the said order, the delay of 82 days in filing the appeal under Section 7 (7) of the Payment of Gratuity Act came to be considered.



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2. The controlling authority passed an order directing the third respondent to pay a sum of Rs.7.8 lakhs towards payment of gratuity against which the third respondent filed an appeal under Section 7(7) of the Payment of Gratuity Act. The said section stipulates that the appeal should be filed within 60 days from the date of order.

3. Section 7(7) of the Payment of Gratuity Act, states that any person aggrieved by an order under sub-section(4) may, within 60 days from the date of receipt of a copy of the order, prefer an appeal to the appropriate Government or such other authority as may be specified by the appropriate Government in this behalf. Proviso states that the appropriate Government or the appellate authority, as the case may be, may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of 60 days, extend the said period by a further period of 60 days.”

4. In the instant case, the petitioner filed the appeal after 82 days from the date of order. The learned counsel for the petitioners states that the condonation of delay application was filed on 18.09.2024.

5. Learned Additional Government Pleader, on receiving instructions



states that the appeal as well as the application for condonation of delay had been filed on 21.06.2024 and it was returned and represented on 18.09.2024 and therefore the contention of the petitioners that the application for condonation have filed after 120 days is unfounded and mis-conceived. I do not find any illegality in the impugned order passed by the first respondent.

6. Accordingly, this Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous Petitions are closed.

06.04.2026

Index :Yes/No
Internet :Yes/No
NCC :Yes/No
PJJ

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HEMANT CHANDANGOUDAR, J.

PJL

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