



W.P.(MD) No.50 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.50 of 2026

and

W.M.P.(MD) No.21 of 2026

M/s.Nizam Tobacco Factory
Represented by its Partner
A.R.Jinnah Mohammed,
T.S.No.9952-Nizam New Building,
Bank of India Back Side,
Nizam Colony,
Pudukottai - 622 001.

... Petitioner

Vs.

The Regional Provident Fund Commissioner-II,
Employees Provident Fund Organisation,
Regional Office, Sree Complex,
'D' Block, 18-Madurai Road,
Tiruchirappalli - 620 008.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records in respect of impugned Order EPFA No.43/2024 dated 29.08.2025 passed by the Industrial Tribunal cum Labour Court, Chennai and quash the same and direct the Industrial Tribunal cum Labour Court, Chennai to restore and hear the appeal subject to payment of pre-deposit of damages of Rs.4,00,000/- (Rupees Four lakhs only).



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For Petitioner : Mr.S.Renganathan

For Respondent : Mr.N.Dilip Kumar
Standing Counsel

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order in EPFA No.43/2024 dated 29.08.2025 passed by the Industrial Tribunal-cum-Labour Court, Chennai, quash the same and consequently direct the Industrial Tribunal-cum-Labour Court, Chennai, to restore and hear the appeal, subject to payment of pre-deposit of damages of Rs.4,00,000/- (Rupees Four Lakhs only).

2. With the consent of parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner company filed an appeal before the Central Government Industrial Tribunal-cum-Labour Court, Chennai (hereinafter referred to as 'the Tribunal'), against the order dated 19.01.2023 passed by the respondent under Section 14B of the Employees' Provident Funds



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and Miscellaneous Provisions Act, 1952, directing the petitioner to remit damages amounting to Rs.7,87,404/-. The Tribunal, by its earlier order dated 23.04.2024, directed that a deposit of Rs.4,00,000/- out of Rs.7,87,404/- shall be made as a pre-condition for entertaining the appeal on merits. The petitioner was directed to deposit the said amount within a period of twelve weeks from the date of receipt of a copy of the said order.

4. The impugned order came to be passed on 29.08.2025 dismissing the said appeal, since there was non-compliance with the Tribunal's order dated 23.04.2024 directing payment of a sum of Rs.4,00,000/-. Further, the application seeking extension of time was also declined.

5. The learned Standing Counsel for the petitioner would submit that the interim order was passed in April, 2024 directing the payment of Rs.4,00,000/-; and that however, the said amount was not paid.

6. The learned counsel for the petitioner would submit that the petitioner intends to prosecute the appeal and undertakes to comply with the earlier direction of the Tribunal by paying a sum of Rs.4,00,000/-.



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7. Keeping in view the fact that the said direction was issued in the year 2024 and that two years have lapsed, this Court directs the petitioner to deposit a sum of Rs.5,00,000/- as a pre-condition for entertaining the appeal within four weeks from today and also to pay a sum of Rs.25,000/- to the District Legal Services Authority (DLSA), Tiruchirappalli (Trichy), as costs within a period of eight weeks from the date of receipt of a copy of this order. Subject to the said payments, the impugned order dated 29.08.2025 is set aside and the Tribunal shall entertain the petitioner's appeal on merits. In the event of failure on the part of the petitioner to comply with the above directions, the impugned order dated 29.08.2025 shall stand restored automatically without any further reference to this Court.

8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

[K.SURENDER, J.]
05.01.2026

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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- 1.The Presiding Officer,
Industrial Tribunal cum Labour Court,
Chennai.
- 2.The Regional Provident Fund Commissioner-II,
Employees Provident Fund Organisation,
Regional Office, Sree Complex,
'D' Block, 18-Madurai Road,
Tiruchirappalli - 620 008.
- 3.The officer in-charge,
District Legal Services Authority (DLSA),
Tiruchirappalli (Trichy).



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