

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.33180 of 2016

D.M.Peter

.. Petitioner

vs.

1.The Chief General Manager,
State Bank of India,
Local Head Office, Circle Top House,
No.16, College Lane,
Chennai-600 006.

2.The Deputy General Manager,
State Bank of India,
Region-IV, Zonal Office,
No.86, Rajaji Salai,
Chennai-600 001.

3.The Chief Manager,
State Bank of India,
Mint Terminus Branch (1476),
Mint Street, Chennai-600 079.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider and dispose of the petitioner's representation dated 25.07.2016 within a stipulated time on merits in accordance with law.

For Petitioner : Mr.N.Naganathan

For Respondents : Mr.S.Sethuraman
Additional Advocate General

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to consider and dispose of the petitioner's representation dated 25.07.2016 within a stipulated time on merits in accordance with law.

2. The petitioner was temporarily appointed as Messenger on 01.06.1977 at the respondent office at Thousand Lights Branch and his service was confirmed and promoted as Duftry

with effect from 01.06.1982. While he was working in the said Branch, he was transferred to the third respondent office on 04.01.1993. Whiles, the third respondent, without giving any opportunity, suspended the petitioner from service in the year 1998 on the allegation of theft of cheque book from the Branch and fraudulent encashment of the cheque to repay his loan. The Disciplinary Authority, without providing necessary documents as well as issuing charge sheet, has passed an order of dismissal without any show cause notice on 01.09.2001, against which the petitioner preferred an appeal before the Appellate Authority on 05.02.2002 and the Appellate Authority modified the punishment to one of "Discharge from Service", vide order dated 20.03.2002. The grievance expressed by the petitioner is that though the petitioner was discharged from service, the respondents did not take any steps to settle the terminal benefits till date and he was made to run from pillar to post. The petitioner in this regard has also submitted a representation dated 25.07.2016 for disbursement of terminal benefits and since no order has been passed, came forward with this writ petition.

3. Heard the submissions on either side and also perused the materials available on record.

4. This Court, without going into the merits of the claim projected by the petitioner, directs the petitioner to submit a fresh representation along with a copy of this order to the respondents within a period of two weeks from the date of receipt of a copy of this order and the respondents, on receipt of the same, are directed to consider and pass orders on merits and in accordance with law within a period of six weeks thereafter.

5. This Writ Petition is disposed of accordingly.

Sd/-

Asst. Registrar

/ true copy /

Sub Assistant Registrar

jvm

To

1. The Chief General Manager,
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3.The Chief Manager,
State Bank of India,
Mint Terminus Branch (1476),
Mint Street, Chennai-600 079.

1CC to M/S.N.Naganathan, Advocate SR.No.57936
1CC to M/S.S.Sethuram, Advocate SR.No.58067

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RP(CO)
CS 12/11/2016



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