



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.16007 of 2016

and

W.M.P (MD) Nos.11709 and 11710 of 2016

S.Arockia Felix

... Petitioner

vs.

1) The Executive Director,
Indian Bank,
Corporate Office,
No.254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai-600 002.

2) The Deputy General Manager/Appellate Authority,
Corporate Office,
Vigilance Department,
No.254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai-600 002.

3) The Deputy General Manager/Zonal Head,
Indian Bank,
Zonal Office,
Dr.Besant Road,
Kumbakonam,
Thanjavur District.

4) The Assistant General Manager/SIC/Disciplinary Authority,
Indian Bank,
Dr.Besant Road,
Kumbakonam,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari/Mandamus, to call for the records relating to the impugned order passed by the 4th respondent in Ref.No.ZOK:Vig:31514 dated 07.04.2015 and to quash the same and consequently direct the respondents to reinstate the petitioner into service with all consequential and other attendant benefits.



For Petitioner : Mr.G.Sankaran
For Respondents : Mr.S.Devaraj

ORDER

By the order dated 18.11.2015, this Court in W.P(MD)No.20420 of 2015, directed the respondents therein, to pass final orders in the disciplinary proceedings relating to the charge memo dated 31.08.2015, within a period of nine months from the date of receipt of a copy of the order.

2.Learned counsel for the petitioner would submit that this time frame as ordered by this Court has not been followed and therefore, the disciplinary proceedings should be quashed.

3.Learned counsel for the respondents would submit that copy of the order dated 18.11.2015 was received by the respondents only on 03.12.2015 and thereafter they completed the enquiry within a period of four months i.e., on 24.04.2016.

4.Learned counsel for the petitioner would submit that copy of the enquiry report was received by the petitioner only on 16.08.2015. It appears, reply of the petitioner to the findings of the enquiry officer is expected and it is pointed out that once the reply is given, the respondents would be in a position to pass final order in the disciplinary proceedings.

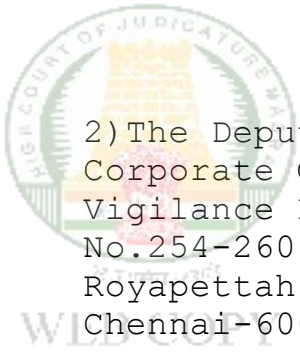
5.Under such circumstances, this writ petition seeking a direction to the respondents to reinstate the petitioner into service with all consequential attendant benefits, cannot be entertained and the writ petition is dismissed. However, the respondents are directed to act expeditiously, keeping in mind the directions issued by this Court. No costs. Consequently, W.M.P (MD)Nos.11709 and 11710 of 2016 are closed.

Sd/-
Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To
1)The Executive Director,
Indian Bank,
Corporate Office,
No.254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai-600 002



2)The Deputy General Manager/Appellate Authority,
Corporate Office,
Vigilance Department,
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Dr.Besant Road,
Kumbakonam,
Thanjavur District.

+1cc to Mr.G.Sankaran, Advocate SR.No.50746
+1cc to Mr.S.Devraj, Advocate SR.No.50329

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sm:PV:24/10/2016:3P/7C

W.P (MD) No.16007 of 2016
06.09.2016