



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2016

CORAM :

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.5198 of 2011

Jayakumar

... Petitioner

Vs.

1)The Assistant General Manager - REG 1,
Disciplinary Authority,
Disciplinary Proceedings Cell,
State Bank of India,
Zonal Office,
Madurai.

2.The Assistant General Manager,
(Operations),
Disciplinary Authority,
Disciplinary Proceedings Cell,
State Bank of India,
Zonal Office,
Madurai.

3.The Branch Manager,
State Bank of India,
Uthamapalayam,
Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent vide proceedings in Dis.con 476 dated 26.8.2003 and the impugned order passed by the second respondent vide proceedings in DIS.con 34 dated 25.4.2008 and quash the same and consequently direct the respondents to reinstate the petitioner with all backwages and all attendant benefits.

For Petitioner : Mr.K.K.Ramakrishnan

For Respondents 1-3 : Mr.S.Sethuraman



O R D E R

The writ petition has been filed challenging the dismissal order passed by the first respondent vide proceedings in Dis.con 476 dated 26.8.2003 and the another order passed by the second respondent vide proceedings in Dis.con 34 dated 25.4.2008

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2.The matter was admitted and the same is pending before this Court for the past five years.

3.When the matter is taken up for hearing, the learned counsel for the third respondent would submit that there is an alternative remedy available to the petitioner to redress his grievance before the Central Government Industrial Tribunal -cum- Labour Court, Chennai as the petitioner is a workman.

4.The learned counsel for the petitioner would fairly submit that he is inclined to exhaust the alternative remedy by approaching the appropriate Forum.

5.Considering the submissions made by the learned counsel on either side, this writ petition is disposed with a direction to the writ petitioner to approach the Central Government Industrial Tribunal -cum- Labour Court, Chennai or any other appropriate Forum to redress his remedy. The appropriate Forum is directed to dispose of the industrial dispute raised by the petitioner within a period of six months from the date on which the dispute is raised before that Forum.

6.The parties to the writ petition are directed to co-operate with the proceedings without taking any adjournments or protracting the proceedings to enable the appropriate Forum to complete the proceedings within six months. No costs.

Sd/-

Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

1)The Assistant General Manager - REG 1,
Disciplinary Authority,
Disciplinary Proceedings Cell,
State Bank of India,
Zonal Office,
Madurai.



2.The Assistant General Manager,
(Operations),
Disciplinary Authority,
Disciplinary Proceedings Cell,
State Bank of India,
Zonal Office,
Madurai.

3.The Branch Manager,
State Bank of India,
Uthamapalayam,
Theni District.

+1cc to Mr.K.K.Ramakrishnan, Advocate SR.No.72914
+1cc to Mr.S.Sethuraman, Advocate Sr.No.72044

cla
sm:MPA:SAR 3:25/11/2016:3P/6C

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