

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.4680/2017

S.Shanmugavel

.. Petitioner

Versus

- 1.The Chief General Manager
State Bank of India, Local Head
Office, Circle Top House, No.16,
College Lane, Chennai-6.
- 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
Meenambakkam Airport
Chennai 600 027.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to pay the interest at the rate of 10% per annum for the delayed payment for Provident Fund, Ex-gratia for the period from 15.06.2007 to 22.03.2015 and for the pensionary benefits from 16.02.2015 to 31.01.2016.

For Petitioner: Mr.N.Naganathan
For Respondents: Mr.P.D.Adikesavalu

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.D.Adikesavalu, learned Standing Counsel accepts notice on behalf of the respondents.

2 The petitioner would aver that he is an Ex-Serviceman and after completing Army service, he joined the services of the State Bank of India as a Watchman on 24.11.1986 and his services were confirmed on 23.08.1987 and in pursuant to the "Exit Option

Scheme", introduced on 31.08.2006, the petitioner submitted a representation and accordingly, it was accepted and he was permitted to retire from service on 15.06.2007. It is the claim of the petitioner that in the light of the said claim as well as his retirement from the services of the respondent / Bank, he is entitled to monthly pension ; Ex-gratia, Provident Fund, by taking into account 20 years of pensionary services rendered by him. The said request of the petitioner was rejected on 07.06.2008 and challenging the same, the petitioner filed WP.No.13425/2010 and it was also dismissed on 16.06.2014 and the petitioner, aggrieved by the same, filed WA.No.1483/2014 and a Division Bench of this Court had allowed the Writ Appeal on 16.02.2015 with a direction to the respondents therein to grant consequential benefits to the petitioner within the stipulated time. The respondents, aggrieved by the same, have also filed a Special Leave Petition before the Hon'ble Supreme Court of India, in SLP [C] No.16478/2015 and it was also dismissed on 06.07.2015. The petitioner, in this regard, has also submitted a representation dated 25.03.2015, praying for interest on belated payment of Ex-gratia and Provident Fund and despite receipt and acknowledgment, no orders have been passed and hence, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.P.D.Adikesavalu, learned Standing Counsel appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the respondents 1 to 3 along with a copy of this order as well as a copy of his earlier representation dated 25.03.2015, within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 to 3, upon the receipt of the same, are directed to consider the said representation on merits and in accordance with law and pass appropriate orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

AP

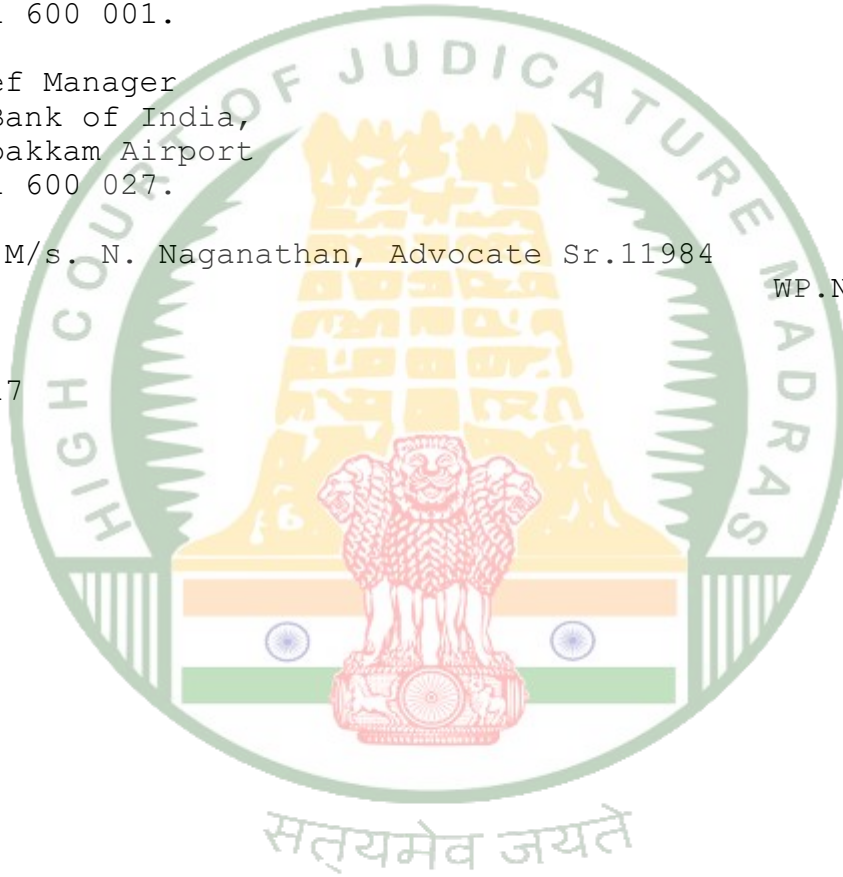
To

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+ 1 cc to M/s. N. Naganathan, Advocate Sr.11984

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PPA(CO)
EU 14.03.17



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