

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.8863, 8897 to 8899 & 9190 of 2017

01. J.Murali
02. B.Sowmyalalitha
03. K.Jacob
04. P.Senthil Kumar
05. Abishek Kumar Shashi
S/o.Virendra Kumar Shashi
06. Ashok Chandra
S/o.Krishna Chandra
07. C.Parthasarathy
08. Amit Kumar Saini
S/o.N.K.Saini
09. J.Sampathkumar
10. V.Kannan
11. Govind Kumar
S/o.Mithilesh
12. Manoj Kumar Yadav
S/o.Baliram
13. M.Sampath Kumar
14. G.Jeyakumar Dickson
15. V.Guruswamy
16. R.Vijaya Kumar
17. C.Rajeev Ramulu .. Petitioners in WP 8863 of 2017

01. V.J.Chериан
02. M.R.Raja Kumar
03. V.Ganesan
04. Baba Rajaguru G
05. M.Lakshmanakumar
06. K.Balasubramaniam
07. A.Bhaskaran
08. A.Elangovan
09. N.Kannan
10. R.Sankaranarayanan .. Petitioners in WP 8897 of 2017

01. S.Madhu Soodhanan Nair
02. A.Ravi .. Petitioners in WP 8898 of 2017

01. N.Suresh
02. M.Gomathy
03. R.Balakrishna Reddy

04. J.Ananda Krishnan
05. S.Umashankari
06. S.Srinivas
07. S.Krishnakumar
08. Vijayendra Agnihotri
09. Rajesh Rajan
10. G.Rajasekhar
11. B.S.Rajasekharan
12. Venkata Vasu
13. Nadathur Srinivas
S/o.N.Gopalan

.. Petitioners in WP 8899 of 2017

01. S.Madhan Rajan
02. K.Srivathsan
03. J.Arun Justin

.. Petitioners in WP 9190 of 2017

-vs-

1. State Bank of India
rep by Chairman
Corporate Centre
State Bank Bhavan
Madame Cama Road
Mumbai 400 021

2. The Chief General Manager (HR)
State of Bank of India
Corporate Centre
State Bank Bhavan
Madame Cama Road
Mumbai 400 021

3. The Chief General Manager
State Bank of India
Local Head Office
College Lane
Nungambakkam
Chennai 600 006

4. Union of India
through its Ministry of Finance
rep by Joint Secretary
Department of Financial Services
New Delhi 110 001

.. Respondents in all the W.P's

W.P.No.8863 of 2017 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that Clauses 7 & 8 of the Acquisition of the State Bank of Mysore Order 2017 bearing No. G.S.R.158(E) dated 22.02.2017 issued by the 1st respondent herein read with the Offer of Employment in SBI With Annexure B1 dated 29.03.2017

issued by the 2nd respondent herein as illegal and unconstitutional to the extent of imposing new conditions of service (some yet to be formulated) and option therefor on the officers of the Transferor banks without a negotiated and informed consent and consequently direct the respondents to seek such option from the officers of the Transferor Banks after formulating their terms and conditions of service duly complying with the principles of informed and pre-decisional negotiations with them.

W.P.No.8897 of 2017 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that Clauses 7 & 8 of the Acquisition of the State Bank of Travancore Order 2017 bearing No.G.S.R.160 (E) dated 22.2.2017 issued by the 4th respondent herein read with the Offer of Employment in SBI with Annexure B1 dated 29.3.2017 issued by the 2nd respondent herein as illegal and unconstitutional to the extent of imposing new conditions of service (some yet to be formulated) and option therefor on the officers of the Transferor banks without a negotiated and informed consent and consequently direct the respondents to seek such option from the Officers of the Transferor Banks after formulating their terms and conditions of service duly complying with the principles of informed and pre-decisional negotiations with them.

W.P.No.8898 of 2017 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that Clauses 7 & 8 of the Acquisition of the State Bank of Bikaner and Jaipur Order 2017 bearing No.G.S.R.156 (E) dated 22.2.2017 issued by the 4th respondent herein read with the Offer of Employment in SBI with Annexure B1 dated 29.3.2017 issued by the 2nd respondent herein as illegal and unconstitutional to the extent of imposing new conditions of service (some yet to be formulated) and option therefor on the officers of the Transferor banks without a negotiated and informed consent and consequently direct the respondents to seek such option from the Officers of the Transferor Banks after formulating their terms and conditions of service duly complying with the principles of informed and pre-decisional negotiations with them.

W.P.No.8899 of 2017 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that Clauses 7 & 8 of the Acquisition of the State Bank of Hyderabad Order. 2017 bearing No.G.S.R.157 (E) dated 22.2.2017 issued by the 4th respondent herein read with the Offer of Employment in SBI with Annexure B1 dated 29.3.2017 issued by the 2nd respondent herein as illegal and unconstitutional to the extent of imposing new conditions of service (some yet to be formulated) and option therefor on the

officers of the Transferor banks without a negotiated and informed consent and consequently direct the respondents to seek such option from the Officers of the Transferor Banks after formulating their terms and conditions of service duly complying with the principles of informed and pre-decisional negotiations with them.

W.P.No.9190 of 2017 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that Clauses 7 & 8 of the Acquisition of the State Bank of Patiala Order 2017 bearing No.G.S.R.159 (E) dated 22.2.2017 issued by the 4th respondent herein read with the Offer of Employment in SBI with Annexure B1 dated 29.3.2017 issued by the 2nd respondent herein as illegal and unconstitutional to the extent of imposing new conditions of service (some yet to be formulated) and option therefor on the officers of the Transferor banks without a negotiated and informed consent and consequently direct the respondents to seek such option from the Officers of the Transferor Banks after formulating their terms and conditions of service duly complying with the principles of informed and pre-decisional negotiations with them.

For Petitioners::Ms.R.Vaigai
Senior Counsel for
Ms.Anna Mathew

For Respondents::Mr.C.Mohan for
M/s King & Partridge for R1 to 3

ORDER

All these writ petitions have been listed under the caption 'for withdrawal' on the basis of the letter dated 24.4.2017 given by the learned counsel for the petitioners before the Registry.

2. Learned senior counsel for the petitioners submitted that although the employees working in Chennai have filed the aforesaid writ petitions, after filing of these writ petitions, on behalf of the employees working all over the country, a common writ petition has been moved before the High Court of Andhra Pradesh and Telangana, therefore, she sought to withdraw these writ petitions with liberty to prosecute the writ petition pending before the High Court of Andhra Pradesh and Telangana.

3. The learned counsel for the respondents 1 to 3 submitted that the petitioners may be permitted to withdraw the writ petitions without prejudice to law.

4. In the light of the above, the petitioners are permitted to withdraw the writ petitions, without prejudice to law. With this observation, all these writ petitions are dismissed as withdrawn. Consequently, W.M.P.Nos.9733, 9812 to 9814 & 10120 of 2017 are also dismissed. No costs.

-s/d-
Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

ss

To

1. The Joint Secretary to Union of India
Ministry of Finance
Department of Financial Services
New Delhi 110 001

+3 ccs to Mrs.Annamathew Advocate sr 25059 to 25061

+5 ccs to M/s.King & Partridge Advocate sr 25049 to 25053

W.P.Nos.8863 of 2017 etc.

ev(co)
aa03/05/2017

सत्यमेव जयते

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