

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3360 of 2017

B.Sathish

..Petitioner

Vs

1. The Management,
Corporation Bank
represented by General Manager (staff)
Corporate Officer,
Mangala devi Temple Road,
Pandeshwar,
Mangalore - 575 001.
Karnataka
2. The General Manager & Circle Head,
Chennai Circle,
Corporation Bank,
38 & 39 Whites road,
Chennai - 600 014.
3. The Deputy General Manager,
Zonal Office,
Corporation Bank,
38 & 39, Whites Road,
Chennai - 600 014.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to to direct the 2nd and 3rd respondents to consider the petitioner's representation dated 15.07.2014 regarding to regularize the services of the petitioner as Messenger in the respondent Bank from 31.11.2008 onwards and absorb him in the permanent establishment of the Bank with all consequential services and monetary benefits.

For Petitioner : Mr.J.Muthukumaran

O R D E R

The petitioner claims that he belongs to scheduled caste community and registered his name in the District Employment Exchange, Kancheepuram, for a suitable job and he was called for

the interview in from the Zonal office, Kancheepuram District on 21.05.2008 and he was selected and temporarily appointed as a Sub-staff and worked for more than 500 days in Madipakkam and Nanganallur Branch. The petitioner states that he was called for the interview for the vacancy at Sothupakkam and Oragadam Branch on 07.02.2011 by the Zonal office and so far he has not communicated with regard to the finalisation of the selection process.

2. The grievance expressed by the petitioner is that now he is 33 years and he has to maintain his family consisting of his wife and two children as well as his aged parents and on account of the above said accommodation/employment, his name was also removed from the roll of employment exchange and therefore, prays for sympathetic consideration of his representation dated 15.07.2014 as well as the legal notice dated 27.11.2014 sent on his behalf for his regularisation.

3. Learned counsel for the petitioner would submit that though the petitioner had approached the Ministry of Labour and Employment, Government of India for regularisation of service, it was rejected on 16.12.2016 on the ground that his case would not fall within the ambit of Section 2-A of the Industrial Disputes Act, 1947. Therefore, prays for appropriate orders.

4. Though the petitioner prays 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, directs the respondents 2 and 3 to consider and dispose of the petitioner's representation dated 15.07.2014 and the legal notice dated 27.11.2015 sent on his behalf in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar (CO)

//True Copy//

Sub-Assistant Registrar

To

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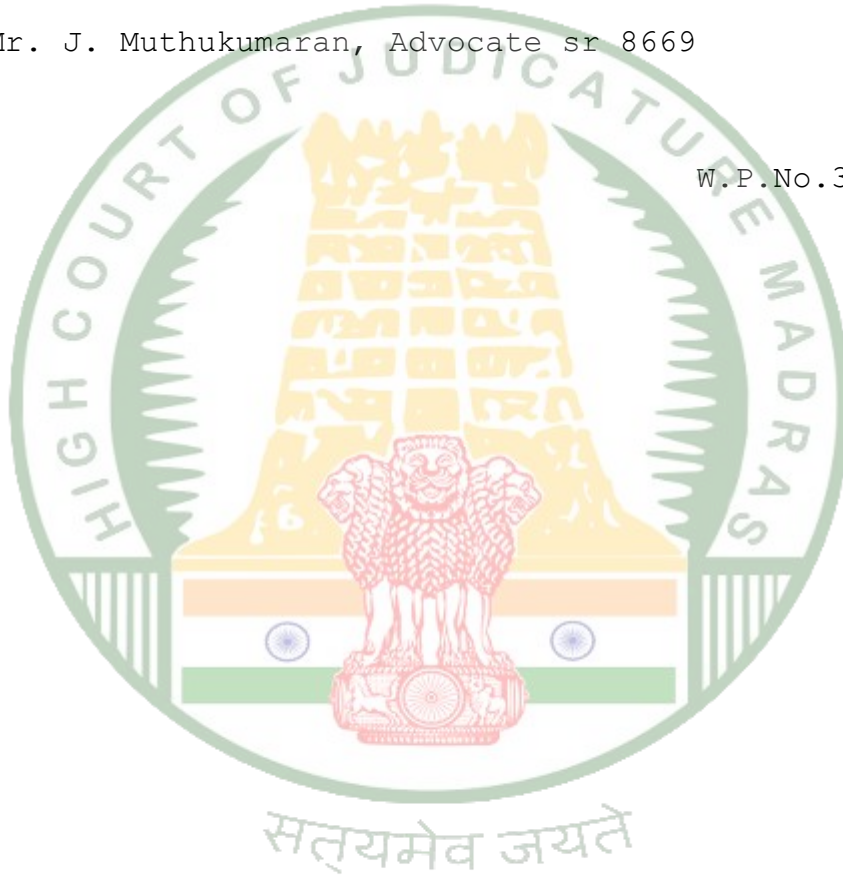
2. The General Manager & Circle Head,
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3. The Deputy General Manager,
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+1 CC to Mr. J. Muthukumaran, Advocate sr 8669

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