

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE M.V.MURALIDARAN

W.P.No.34605 of 2014 and
M.P.Nos.1 and 2 of 2014

K.Jeyamani

... Petitioner

Vs.

- 1.The General Manager,
Syndicate Bank,
Head Office, Personnel Department,
Manipal - 576 104, Karnataka State.
- 2.The Deputy General Manager,
Syndicate Bank,
Regional Office, Personnel Department,
105/106, Ponnurangam Road,
R.S.Puram, Coimbatore - 3.
- 3.The Assistant General Manager,
Regional Office, Syndicate Bank,
105-106, Ponnurangam Road,
R.S.Puram, Coimbatore - 3.
- 4.The Assistant General Manager(P)
Industrial Relations Division,
Syndicate Bank, Head Office: Manipal
Karnataka - 576 104.
- 5.The State Level Scrutinizing Committee,
Rep. by Secretary Cum Chairman,
Adi Dravida and Tribal Welfare Department,
Chennai - 9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records on the file of the respondents in connection with the impugned orders passed by the second respondent in Ref.405/6132/PKD/PC/2011 dated 08.07.2011 and in Ref.685/6132/PKD/PC/2011 dated 12.10.2011, by the 3rd respondent in Ref.447/6132/PKD/PC/2011 dated 27.07.2011 and by the 4th respondent in Ref.No.4820/0089/PD:IRD(O)/CT-05 dated 07.12.2011 and quash the same and direct the respondents to disburse the terminal benefits due to the petitioner within a reasonable time.

For Petitioner : Mr.M.Muthappan

For Respondents: Mr.Anand for
M/s.T.S.Gopalan and Co.,for R1 to R4
Mr.K.Dhananjayan
Spl.Govt.Pleader for R5

O R D E R

K.K.SASIDHARAN, J.

The question regarding community status of the petitioner is now pending before the State Level Scrutiny Committee constituted by the Government of Tamil Nadu. The claim made by the petitioner for disbursement of terminal benefits after his retirement was rejected by the Bank. Feeling aggrieved, the petitioner has come up with this writ petition.

2. We have heard the learned counsel for the petitioner, the learned Standing Counsel for the Syndicate Bank and the learned Special Government Pleader on behalf of the State Level Scrutiny Committee.

3. The petitioner secured employment in Syndicate Bank on the strength of a Community Certificate indicating that he belongs to "Kondareddy" community, which is notified as a Schedule Tribe.

4. The District Collector, Dharmapuri initiated proceedings to verify the community status of the petitioner. The petitioner made a request to the District Collector to furnish a copy of the report submitted by the Revenue Divisional Officer, after conducting enquiry with regard to the community status. The request was turned down by the District Collector. The order was challenged in the writ petition in W.P.No.9816 of 1987. The High Court at the instance of the petitioner passed an order in the writ petition in W.P.No.31787 of 2005 directing the State Level Scrutiny Committee to verify his community status.

5. The petitioner attained superannuation on 30 July 2011. The request made by the petitioner to disburse the terminal benefits was negated by the Bank under the premise that verification is pending. The denial of terminal benefits by the Bank made the petitioner to file this writ petition.

6. There is no dispute that the Community Certificate of the petitioner is yet to be verified. The State Level Scrutiny Committee is now seized of the matter. We are of the view that interest of justice would be sub-served by issuing a direction to the State Level Scrutiny Committee to complete the process so as to enable the Bank to consider the question of disbursement of benefits.

7. We direct the State Level Scrutiny Committee to complete the process of verification of the community status of the petitioner, as expeditiously as possible and in any case, within a period of three months from the date of receipt of a copy of this order. The question of disbursement of retirement benefits would be considered by the Bank taking into account the order passed by the State Level Scrutiny Committee.

8. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

- 1.The General Manager,
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Manipal - 576 104, Karnataka State.
- 2.The Deputy General Manager,
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- 3.The Assistant General Manager,
Regional Office, Syndicate Bank,
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- 5.The State Level Scrutinizing Committee,
Rep. by Secretary Cum Chairman,
Adi Dravida and Tribal Welfare Department,
Chennai - 9.

+1 cc to Govt.Pleader,sr.15686.

kk(co)
krd 7/4

W.P.No.34605 of 2014