



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2017

C O R A M

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) No.11289 of 2017

and

W.M.P. (MD) Nos.8671 & 8672 of 2017

R.Umadevi

.. Petitioner

Vs.

1. The Branch Manager,
Indian Overseas Bank,
T.Kallupatti Branch, Madurai.

2. The Disciplinary Authority/
Chief Manager,
Canara Bank, Regional Office,
Madurai.

3. The General Manager/
Appellate Authority,
Indian Overseas Bank,
Central Office, Post Box No.3765,
763, Anna Salai, Chennai - 2.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for records relating to the impugned order of the third respondent, dated 23.12.2015 vide the proceedings DO:VIG:GM(AVP)/AA:8992/:2015-16 and quash the same and consequently direct the respondents to reinstate the petitioner in the post of Clerk/Typist at the first respondent Bank with back wages.

For Petitioner : Mr.R.Senthilkumar
For Respondents : Mr.N.Dilip Kumar,
Standing Counsel.

O R D E R

This Writ petition is filed by the petitioner challenging the proceedings of the third respondent, in DO:VIG:GM(AVP)/AA:8992/:2015-16, dated 23.12.2015 and consequently to direct the respondents to reinstate the petitioner in the post of Clerk/Typist at the first respondent Bank with back wages.

2. Heard the learned counsel appearing for the petitioner and

<https://hcservices.hcservices.gov.in/hcservices/>

the learned Standing Counsel appearing for the respondents.



3. This Writ petition is posted today under the caption "for maintainability".

4. It is not in dispute that the petitioner was working as Clerk/Typist in the first respondent Bank. By an order dated 15.09.2015, passed by the second respondent, the petitioner was dismissed from service. As against that, the petitioner preferred an appeal before the third respondent and the third respondent also passed an order in DO:VIG:GM(AVP)/AA:8992/:2015-16, dated 23.12.2015, rejecting the appeal. Challenging the impugned order passed by the third respondent, dated 23.12.2015, the present Writ petition has been filed.

5. The further prayer in the Writ petition is to direct the respondents to re-instate the petitioner in the post of Clerk-Typist in the first respondent Bank. As against the order of dismissal, the petitioner can only file a petition under the Industrial Disputes Act. Hence, the Writ petition is not maintainable.

6. However, the learned counsel for the petitioner seeks liberty to raise his contention before the Industries Tribunal. The Writ petition is dismissed as not maintainable with liberty to the petitioner to approach the Industries Tribunal for appropriate relief. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AE)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Branch Manager, Indian Overseas Bank,
T.Kallupatti Branch, Madurai.
2. The Disciplinary Authority/Chief Manager,
Canara Bank, Regional Office, Madurai.
3. The General Manager/Appellate Authority,
Indian Overseas Bank,
Central Office, Post Box No.3765, 763, Anna Salai, Chennai - 2.
+1cc to M/S.N.DILIP KUMAR, Advocate SR.No.62640
pmu
MAS/SKN-RSK/SAR1:02.08.2017:2P-5C

ORDER MADE IN

W.P. (MD) No.11289 of 2017

and

W.M.P. (MD) Nos.8671 & 8672 of 2017

29.06.2017