

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.04.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE, J.

W.A No.1262 of 2017 and
CMP Nos.17516 and 17517 of 2017
& 17517 of 2017

N.Jayaraman

... Appellant/Petitioner

-Vs-

- 1.The Regional Manager
Regional Business Office - 5,
State Bank of India,
No.15, 1st Floor, Officers line,
Vellore 632 001.
Now changed to
Regional Business Office - 4
No.1 & 1B, Old Bangalore Road,
Gowri Sakar Hotel Complex,
Hosur - 635 109, Krishnagiri District.
- 2.The Chief Manager,
State Bank of India,
Agricultural Development Branch,
Hosur, Krishnagiri District.
- 3.The Inspector of Police,
Hosur Town Police Station,
Hosur, Krishnagiri District. ... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent
against the order passed in W.P No. 39050 of 2015 dated
31.08.2017.

WP.NO.39050/2015:

Writ Petition filed Under Article 226 of the Constitution of
India, praying to issuance of Writ of Certiorarified
Mandamus Calling for the concerned records relating to the order
No.RBO-5/12/2015-16/DIS/ CON/1714 dated 25.09.2015 passed by
the 1st respondent and order No.RBO-5/12/2015-16/DIS/CON/1716
dated 25.09.2015 passed by the 1st respondent and quash the same
and consequently direct the 2nd respondent to reinstate the
petitioner in his original post in the 2nd respondent office

For Appellant : Mr.M.Gnanasekar

For Respondents: Mr.S.Ravindran
Senior Counsel
for M/s.S.Bazeer Ahmed for R1 and R2
Mr.V.Anandhamurthy
Addl.Govt.Pleader for R3

J U D G M E N T

[Judgment of the Court was delivered by
K.K.SASIDHARAN, J.]

The appellant challenged the disciplinary proceedings initiated by the State Bank of India on various grounds. Before the Writ Court, having found that the learned single Judge was not in favour of interfering with the disciplinary proceedings, the learned counsel made a submission that a direction should be issued to the disciplinary authority to conclude the enquiry proceedings as expeditiously as possible. The learned single Judge therefore issued a Mandamus by order dated 31 August 2017 in W.P.No.39050 of 2015 to conclude the enquiry proceedings within a period of six months from the date of receipt of the order. The said order is under challenge at the instance of the writ petitioner.

2. The learned Senior Counsel appearing on behalf of the Management on instructions submitted that the enquiry is now in the advanced stage. The disciplinary authority after concluding the enquiry issued notice to the appellant to appear for a personal hearing on 4 April 2018 to decide the question of punishment.

3. The learned counsel for the appellant on the other hand submitted that the Management has now taken a tentative decision to award the punishment of compulsory retirement.

4. The question before the Writ Court was as to whether the Management was correct in suspending the appellant from service pending initiation of the disciplinary proceedings. The learned single Judge having found that there were prima facie materials to initiate disciplinary proceedings refused to interfere with the proceedings. Thereafter, at the instance of the appellant, outer time limit was fixed for concluding the disciplinary proceedings. We are now informed that the disciplinary proceedings are in the final stage. The appellant was directed to appear before the authority on 4 April 2018. Such being the factual position, we are not inclined to interfere with the order passed by the learned single Judge.

5. The learned Senior Counsel for the Management submitted that the entire proceedings would be completed within the outer time limit fixed by the learned single Judge. The said submission is recorded.

6. The writ appeal is disposed of with the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

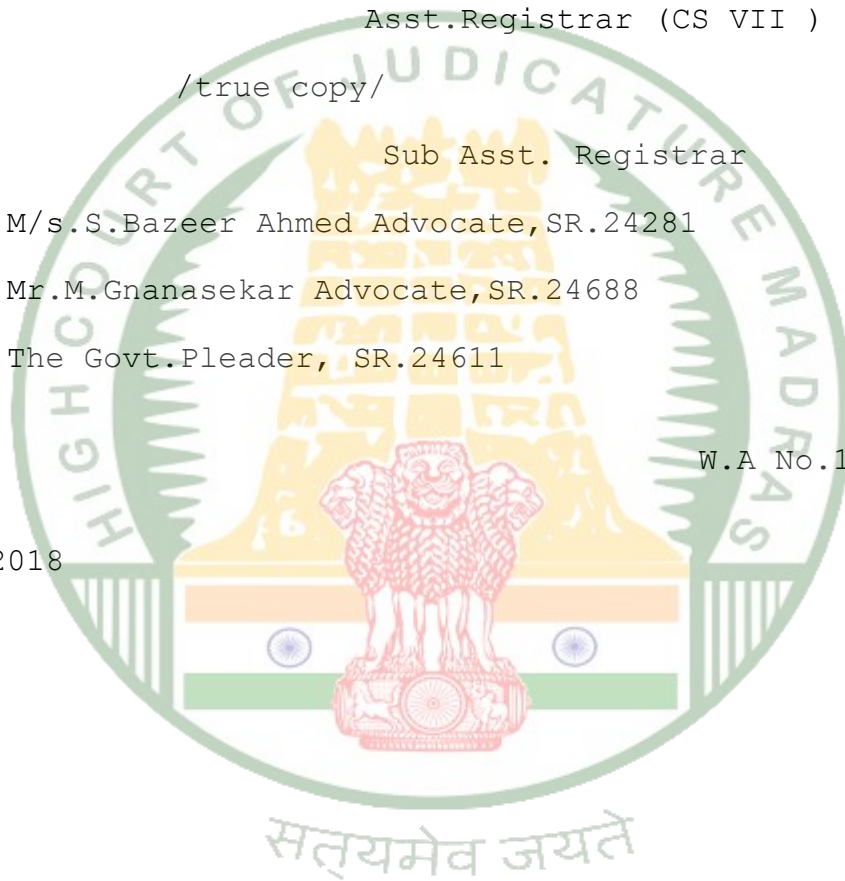
+ 1 cc to M/s.S.Bazeer Ahmed Advocate,SR.24281

+ 1 cc to Mr.M.Gnanasekar Advocate,SR.24688

+ 1 cc to The Govt.Pleader, SR.24611

W.A No.1262 of 2017

ssv(co)
nr 03/05/2018



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