

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2018

CORAM:

THE HON'BLE Ms. JUSTICE S.M.SUBRAMANIAM

W.P.No.38702 of 2004 and
WPMP.No.46257 of 2004

Tmt.T.Padma

...Petitioner

Vs.

The State of Bank Rep. By its
Assistant General Manager
Region III, Zonal Office
Kurinchi Complex
State Bank Road
Coimbatore.

....Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India in the nature of Writ of Certiorari by calling for the records relating to the proceedings pursuant to the order of the respondent in No.AGM III 6615 dated 13.12.2004 and quash the same.

For petitioner : Mr.M.Suresh Kumar
For respondent : Mr.Thayaparan

O R D E R

The order passed by the State Bank of India in proceeding dated 13.12.2004 in respect of the community status of the writ petitioner is under challenge in the present writ petition.

2. The order impugned dated 13.12.2004 states that the writ petitioner has to produce a certificate from the District Collector duly authenticating that the writ petitioner belongs to ST community as claimed by him at the time of appointment in the Bank within 30 days. Instead of submitting the Community Certificate duly obtained from the competent authorities, the writ petitioner has chosen to file the present writ petition.

3. The impugned order is nothing but an opportunity provided to the writ petitioner to submit a Community Certificate within 30 days from the date of receipt of the impugned order dated 13.12.2004. Thus, it is left open to the writ petitioner to submit the duly granted Community Certificate to the authorities competent.

4. The Community Certificate ought to be granted by the competent authorities in respect of Scheduled Caste and Scheduled Tribe. The District Committee and State Level scrutiny Committee are empowered to grant Community Certificates.

5. Thus the writ petitioner has to approach the competent authorities for the purpose of getting the Community Certificate and produce the same to the respondent for enabling them to consider the case for continuance of his service under the category of Scheduled Caste/Scheduled Tribe.

6. This being the factum of this case, it is left open to the writ petitioner to get the Community Certificate from the competent authorities as early as possible and if no such Community Certificate is produced by the writ petitioner, then it is left open to the respondent to initiate appropriate action with reference to the Rules in force.

7. With the above observations, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsm/mp

To

The Assistant General Manager
Region III, Zonal Office
Kurinchi Complex
State Bank Road
Coimbatore.

+1 CC to Mr. Suresh Kumar, Advocate sr 89066.

+1 CC to Mr. Sukumaran, Advocate sr 88057.

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MG(CO)
SP(10/01/2019)