

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.1.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.177 of 2018

and

C.M.P.No.1159 of 2018

J. Jayasudha

Appellant

Versus

1 The Chief Manager (Disciplinary Authority)
H.R.M.P.A.D Disciplinary Cell
Corporation Bank Head Office
Mangaladevei Temple Road
Pandeshwar Mangalore 575 001

2 The Senior Manager (Law)/Enquiry officer
Zonal office Bangaluru (South)
No.8 M.G.Road Nitesh Times square
Bangaluru 560 001

3 The General Manager
Corporation Bank Zonal office
No.38, 39 Whites Road Royappettai
Chennai 600 014

Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 8.1.2018 passed in W.M.P.No.249 of 2018 in W.P.No.184 of 2018 on the file of this court to issue a writ in the nature of certiorarified Mandamus, to call for orders & connected records of the 1st respondent dated 19.12.2017 Ref.NoPAD:DISC:447/15:1337/17 and and quash the same and consequently direct the 1st respondent to post the petitioner in her earlier place in the 3rd respondent bank and pass such other orders or directions as this Hon'ble Court may deem fit and proper in the circumstances of the case, award costs and render justice.

For appellant : Mr.T.Mohan,Senior Counsel for
Mr.S.Parthasarathi

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned Senior Counsel appearing for the appellant.

2. The writ appeal has been filed by the appellant/writ petitioner, not satisfied with the order of stay as against the proposed punishment alone and declining to interfere with the order of transfer in service.

3. The grievance of the appellant is that the impugned proceedings has been passed by the first respondent all of a sudden without any opportunity to the appellant/writ petitioner to submit her explanation as against the enquiry report submitted in the disciplinary proceedings initiated against her.

4. The matter is at the interim application stage in the writ petition and the learned Single Judge has taken up the matter and stayed the order with regard to proposed punishment alone, however, having found that the place of transfer is only with a distance of 30 kms, and therefore, it cannot be construed as a punitive in nature, has not interfered with the order of transfer.

5. We do not find any reason to interfere with the said finding. The main writ petition is still pending before the learned Single Judge. It is for the appellant to urge all her contentions in respect of punishment imposed on her and also the order of transfer. The appellant can also seek for early disposal of the writ petition. Anyhow, she has to join the transferred place within another fifteen days from the date of receipt of copy of this judgment. The writ appeal is disposed of. No costs. The connected miscellaneous petition is closed.

Sd/-
सत्यमेव जयते

Assistant Registrar (CS-V)

//True Copy//

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Sub Assistant Registrar

ssk.

To:

1 The Chief Manager (Disciplinary Authority)
H.R.M.P.A.D Disciplinary Cell
Corporation Bank Head Office
Mangaladevei Temple Road
Pandeshwar Mangalore 575 001

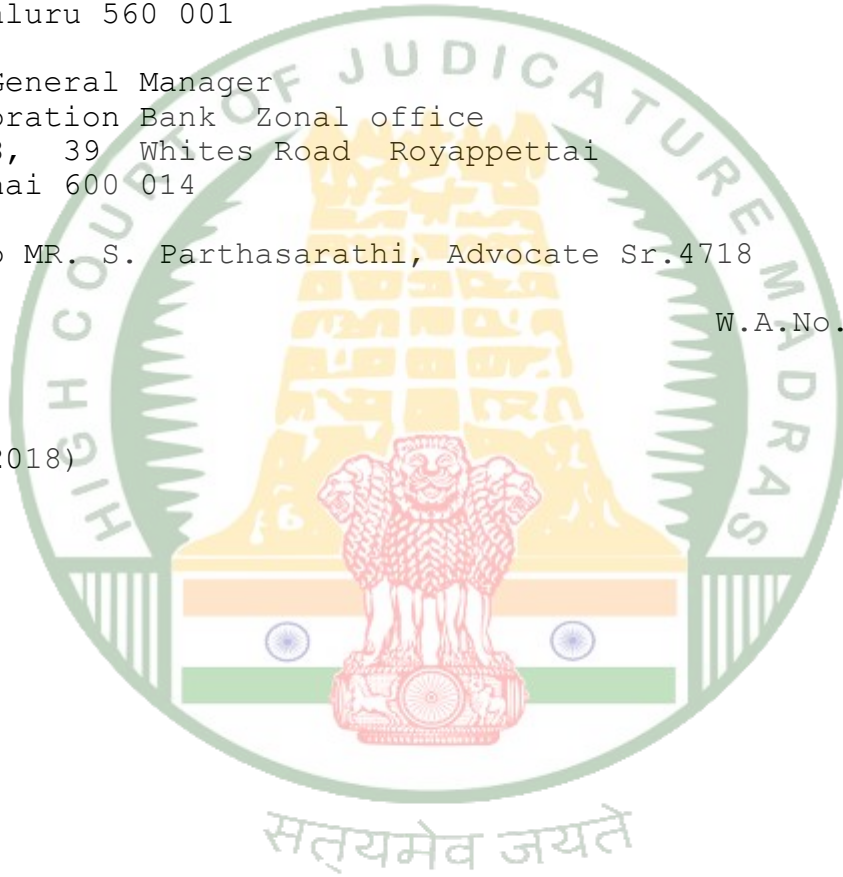
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+ 2 ccs to MR. S. Parthasarathi, Advocate Sr.4718

W.A.No.177 of 2018

GP(CO)
EU(19/03/2018)



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