

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2018

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10150 of 2008

and

M.P.No.2 of 2008

D.Subramanian

... Petitioner

Vs.

1. The Executive Director
Indian Overseas Bank
Central Office
763, Anna Salai,
Chennai - 600 002.
2. The General manager
Appellate Authority
Indian Overseas Bank
Central Office
763, Anna Salai,
Chennai - 600 002.
3. Shri.S.Elangovan
Disciplinary Authority
Deputy General manager
Indian Overseas Bank
763, Anna Salai,
Chennai - 600 002.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in ED(AVD)/RA/IR/213/1112, dated 24th March 2008 and quash the same.

For Petitioner : Mr.P.Subba Reddy
For Respondents : Mr.N.G.R.Prasad

O R D E R

This Writ Petition has been filed, to call for the records of the first respondent in ED(AVD)/RA/IR/213/1112, dated 24th March 2008 and to quash the same.

2. The learned counsel for the petitioner would contend that for the charges leveled against the petitioner, punishment was awarded by reducing the scale of pay to a lowest stage, whereas Regulation 4(F) of Indian Overseas Bank Officer Employees' (Discipline and Appeal) Regulations, 1996 empowers the authority only to give punishment of compulsory retirement.

3. The learned counsel would also contend that the penalty imposed by the 3rd respondent stands in the way of the petitioner's further promotion and he would also incurring the loss of Rs.3000/- per month and hence, he filed this Writ petition.

4. The learned counsel for the petitioner would further submit that in the meanwhile, the petitioner has taken Voluntary Retirement, which was also approved by the management and now, the petitioner has been out of service, and therefore, nothing survives for further adjudication in this Writ Petition.

5. Recording the above submission made by the learned counsel for the petitioner, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

raja

+ 1 cc to M/s. Row & Reddy, Advocate SR.44360
+ 1 cc to Mr. P.Subba Reddy, Advocate Sr.44813

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GJ-II(CO)
EU(17/09/2018)