

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.07.2018

Coram

The Hon'ble Mr. Justice Satrughana Pujahari

Writ Petition No.18854 and 18855 of 2018
and
W.M.P.Nos.22233 and 22234 of 2018

R. Premkumar
J.Reeta Mary

...Petitioner in W.P.No.18854 of 2018
...Petitioner in W.P.No.18855 of 2018

Vs.

1. Indian Overseas Bank
rep. by General Manager,
Central Office -Post Box No.3765,
Industrial Relations Department,
763, Anna Salai Chennai- 600 002.
 2. The Assistant General Manager,
Indian Overseas Bank,
Industrial Relations Department,
763, Anna Salai Chennai- 600 002.
 3. The Chief Manager,
Regional Office,
Indian Overseas Bank,
9-11, 100 Feet Road, Jansi Nagar Corner,
Mudaliarpet,
Pondicherry - 605 004.
- R.1. and 2. in both W.P.s
..R-3 in W.P.No.18854 of 2018

The Senior Regional Manager,
Regional Office,
Indian Overseas Bank,
9-11, 100 Feet Road, Jansi Nagar Corner,
Mudaliarpet, Pondicherry - 605 004.

..Respondent -3 in W.P.No.18855 of 2018

Common Prayer

Writ Petitions filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for records relating to the impugned orders bearing No.IRD/184/198/2013-14 and No.IRD/184/199/2013-14, dated

25.09.2013, respectively issued by the second respondent and to quash the same and consequently, to direct the respondents to reinstate the petitioners in service with all attendant and monetary benefits.

For Petitioners in both W.Ps	:	Mr.K.M.Ramesh
For Respondents in both W.Ps.	:	Mr.N.G.R.Prasad
		Standing Counsel

COMMON ORDER

Heard Mr.K.M.Ramesh, the learned counsel appearing for the petitioner and Mr.N.G.R.Prasad, the learned Standing Counsel, who accepts notice on behalf of the respondents. Since the issue involved in both the Writ Petitions is identical in nature, with consent of the learned counsel on either side, they are taken up together and disposed of vide this common order at the stage of admission.

2. The prayer in both the Writ Petitions is to quash the impugned orders dated 25.09.2013 passed by the second respondent, and consequently, to direct the respondents to reinstate the petitioners in service with all attendant and monetary benefits.

3. At the outset, Mr.K.M.Ramesh, the learned counsel appearing for the petitioners submits that, in respect of a similar issue, the petitioners, who were similarly situated with that of the petitioners herein approached this Court by way of filing W.P.Nos.23447, 23449 etc., of 2014 (batch) and those Writ Petitions were allowed by this Court, vide order, dated 23.08.2018 and the operative portion of the said order is reproduced hereinbelow :-

"11. Accordingly, these Writ Petitions are allowed. Consequently, the impugned orders in the respective writ petitions terminating the service of the respective writ petitioner are quashed and the respondents are directed to reinstate them in the service within a month on receipt/production of the copy of this order. However, the petitioners are not entitled to any backwages on such reinstatement. But it is open to the respondents to proceed against the petitioners on the ground alleged in the termination order, if they so desire in accordance with law and take such steps as permissible under law. Consequently, all the Miscellaneous Petition are closed. No

costs."

4. Therefore, the learned counsel prays that in view of the order passed by this Court in an identical issue, similar order may be passed in the present Writ Petitions as well.

5. Mr.N.G.R.Prasad, the learned Standing Counsel has no objection in following the previous order, dated 23.03.2018, passed in W.P.Nos.23447, 23449 etc., of 2014.

6. Thus, in the light of the earlier order passed by this Court, vide its order dated 23.03.2018, passed in W.P.Nos.23447, 23449 etc., of 2014., this Court is of the view that the present Writ Petitions can also be disposed of on the same lines. Accordingly, both the Writ Petitions stand allowed. Consequently, the impugned orders in the respective writ petitions terminating the service of the petitioners are quashed and the respondents are directed to reinstate them in the service within a month on receipt/production of a copy of this order. However, the petitioners are not entitled to any backwages on such reinstatement. But it is open to the respondents to proceed against the petitioners on the ground alleged in the termination order, if they so desire, in accordance with law and take such steps as permissible under law. Consequently, all the Miscellaneous Petition are closed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True copy//

Sub Assistant Registrar

sd

+1cc to Mr.K.M.Ramesh, Advocate SR.No.49866

+1cc to Mr.N.G.R.Prasad, Advocate SR.No.49841

+1cc to Mr.K.M.Ramesh, Advocate SR.No. 49867 (05/09/2018)

Writ Petition No.18854 and 18855 of 2018

KK(CO)

GN(31/08/2018)