

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 23.11.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO. 29838 OF 2018

AND

W.M.P. NOS. 34835 & 34836 OF 2018

1. L.Thangarajan

2. R.Chandran

3. V.Sivakumar

4. M.G.Sankarlal

5. R.Baskaran .. Petitioner

- Vs -

1. The Pallavan Grama Bank
rep. By the Chairman
No.6, Yercaud Road
Hasthampatti, Salem - 7.

2. National Bank for Agriculture
and Rural Development, rep. By
the General manager
Institution Development Department
BKC, Bandra (E), Mumbai 400 053.

3. The Indian Bank
rep. By the General Manager (RBD & FI)
Indian Bank, Corporate Office
Chennai 600 014.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of declaration declaring that the promotion policy for the year 2018-2019 issued by the 1st respondent dated 6.10.2018 is not in accordance with the Regional Rural Bank (Appointment and Promotion of Officers and Employees) Rules, 2010 and the circular No.35/IDD-02/2014-2015 dated 24.02.2015 issued by the 2nd respondent and consequently direct the 1st respondent to declare the vacancies to the post of Officer Senior Manager (Scale V) and to conduct the promotion process simultaneously with the other cadre in the 1st respondent bank for the year 2018-2019.

For Petitioner : Ms. D.Geetha

For Respondents: Mr. N.Umashankar for R-1

ORDER

The present petition has been filed to declare that the promotion policy for the year 2018-2019 issued by the 1st respondent dated 6.10.2018 is not in accordance with the Regional Rural Bank (Appointment and Promotion of Officers and Employees) Rules, 2010 and the circular No.35/IDD-02/2014-2015 dated 24.02.2015 issued by the 2nd respondent and consequently direct the 1st respondent to declare the vacancies to the post of Officer Senior Manager (Scale V) and to initiate the promotion process simultaneously with the other cadre in the 1st respondent bank for the year 2018-2019.

2. The claim of the petitioners is that steps are being taken to merge the 1st respondent bank with another Regional Rural Bank. The petitioners are working in the 1st respondent Bank and if the merger is proceeded with without effecting the promotion to Scale V posts, the petitioners would be denied of opportunity of promotion. Therefore, the petitioners made a representation dated 15.10.2018 to the 1st respondent to take necessary steps to amend the promotion policy 2018-2019 and include promotion of officers senior management scale IV to Officers Senior Management Scale V. However, till date, no orders have been passed on the representation submitted by the petitioners. Therefore, left with no alternative, the present petition has been filed.

3. Mr. Umashankar, learned standing counsel takes notice for the 1st respondent.

4. Learned counsel appearing for the 1st respondent submits that the representation submitted by the petitioners will be placed in the next Board Meeting, which is likely to take place within two months time and, therefore, prayed that appropriate orders may be passed accordingly.

5. In view of the limited relief sought for, this Court is of the view that it would suffice to direct the respondents to consider the representation submitted by the petitioner within a particular time frame.

6. In the above circumstances, this writ petition is disposed of directing the respondents to consider the representation dated 15.10.2018, submitted by the petitioners and pass orders thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

GLN

To

1. The Chairman
Pallavan Grama Bank
No.6, Yercaud Road
Hasthampatti, Salem - 7.
 2. The General manager
National Bank for Agriculture
and Rural Development,
Institution Development Department
BKC, Bandra (E), Mumbai 400 053.
 3. The General Manager
(RBD & FI) Indian Bank
Corporate Office
Chennai 600 014.
- +1 CC to Mr.D. Geetha, Advocate sr 79995.
+1 CC to Mr.L. Jayakumar, Advocate sr 79988.

SSI(CO)
SP(18/12/2018)

W.P. NO.29838 OF 2018