

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.1367 of 2019
&
C.M.P.No.9356 of 2019

V. Ramesh ...Appellant/Petitioner

Vs.

The Assistant General Manager &
Deputy Zonal Head,
UCO Bank, Zonal Office,
Vijay Towers, No.22,
Father Randy Street,
Coimbatore 641 002. ...Respondent/Respondent

Prayer:

Writ Appeal against the order dated 25.03.2019 in W.P. No. 17794 of 2018, praying to issue a Writ of Certiorarified Mandamus to call for the records of the respondent pertaining to his proceedings bearing No.UCO/ZOCBE/HRM/TR/2018-19/270 dated 05.07.2018 transferring the petitioner from K.K.Nagar Branch Madurai to Sivagangai and quash the same in so far as the petitioner is concerned and consequently direct the respondent to retain the petitioner at K.K.Nagar Branch, Madurai atleast till the end of the following academic year.

For Appellant :: Mr.T.K.Kulasekaran

For Respondent :: Mr.Srinath Sridevan

J U D G M E N T

(Judgment of the Court was delivered by K.K. SASIDHARAN,J.)

The appellant was transferred from Madurai to Sivaganga. The said order was unsuccessfully challenged before the Writ Court. Feeling aggrieved, the appellant has come up with this intra-court appeal.

2. When the appeal came up for hearing on an earlier occasion, the appellant expressed his difficulty to join at Sivaganga on account of certain family problems. According to the appellant, in case three months' time is given for joining at Sivaganga, he would comply with the order passed by the Bank. We therefore issued notice to the Bank.

3. Mr.Srinath Sridevan, learned Standing Counsel for the Bank, on instructions, submitted that in case, the appellant join duty at Sivaganga, the Bank would consider granting him privilege leave provided a formal application to that effect is given.

4. The appellant agreed to join at Sivaganga and submit an application for privilege leave.

5. We are informed that pursuant to the above said arrangement, the appellant reported at Sivaganga during the forenoon of 29 April, 2019 and joined there. According to the Bank, the appellant has not applied for the privilege leave as per his earlier request.

6. The learned counsel for the appellant produced a copy of the leave letter dated 25 April, 2019 addressed to the Zonal Officer, Coimbatore for converting the casual leave into one of privilege leave. In the said letter, the appellant has also stated that he would submit a formal application for privilege leave for the period from 4 April, 2019 to 25 April, 2019 after joining at the new place of posting.

7. The appellant has complied with the transfer order passed by the UCO Bank. The appellant is eligible for privilege leave. In case, application for leave is submitted by the appellant, the same shall be favourably considered by th Bank taking into account, the earlier understanding arrived at between the parties. The appellant shall join at the Sivaganga Branch after availing the leave positively on 1 August, 2019, failing which it would be open to the Bank to initiate appropriate proceedings.

8. The learned Standing Counsel for the Bank, on instructions, submitted that the Bank would sanction the eligible privilege leave to the appellant subject to the

condition that he is available at the Sivaganga Branch for a period of two weeks being the end of the quarter. The said condition appears to be reasonable. The appellant must comply with the condition imposed by the Bank for sanctioning the leave.

9. The intra-court appeal is disposed of with the above direction. No costs. Connected C.M.P. is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nv

To

The Assistant General Manager &
Deputy Zonal Head,
UCO Bank, Zonal Office,
Vijay Towers, No.22,
Father Randy Street,
Coimbatore 641 002.

+1cc to Mr.T.K.Kulasekaran, Advocate, S.R.No.43290

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&
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GJII(CO)
CS/01/07/2019

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