



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.1135 of 2017
and
W.M.P (MD) .No.955 of 2017

K.Jayamuruganandham

... Petitioner

-Vs-

1.The Deputy General Manager
Zonal Office
Indian Bank
No.1/17,II Floor, GRR Building
STC Road, PK Nagar
Perumalpuram
Tirunelveli 627 007

2.The Manager
Indian Bank
Thiruchendur Branch
Thiruchendur

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to follow Clause 3 of the Appointment Order of the petitioner, dated 29.06.1996 and to allot work to the petitioner alternatively.

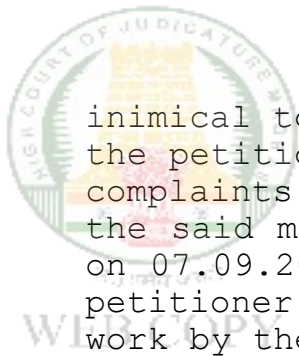
For Petitioner : Mr.D.Geetha

For R2 : Mr.C.Jawahar Ravindran

ORDER

The Writ petition has been filed for a direction to the 2nd respondent to follow Clause 3 of the Appointment Order of the petitioner, dated 29.06.1996 and to allot work to the petitioner alternatively.

2.According to the petitioner, he joined as a Jewel Appraiser in the second respondent Bank on 29.06.1996. In the appointment order, it was specifically stated that the Branch shall not have more than two Jewel Appraisers and only persons in the Panel should be utilized alternatively. In the month of September 2015, the then Branch Manager of the second respondent Branch Mr.Duraibalan, was



inimical towards the petitioner, as he was under the impression that the petitioner was responsible in instigating the customers to write complaints against him to the higher officials, pursuant to which, the said manager orally asked the petitioner not to report for work on 07.09.2015 and did not permit the petitioner to work. Hence, the petitioner made an appeal to the Zonal Officer about the denial of work by the said Officer. On his appeal, the first respondent called upon the petitioner and Mr.Duraibalan on 21.09.2015 and advised the then Manager not to indulge in such activities and to provide work to the petitioner. But, the then Manager refused to allot the customers to the petitioner for appraisal and continued to utilize the services of the other appraisers. On 06.11.2015, the petitioner made a representation to the Taluk Legal Services Authority, Tiruchendur. The Taluk Legal Services Authority called upon the respondents for enquiry. The respondents appeared before the said Authority on 27.11.2015 and gave an undertaking that work will be provided to the petitioner, when he report for work. After the said assurance given by the respondents, when the petitioner reported to work, the Branch Manager refused to provide him work. Hence, the petitioner has come up with the present writ petition.

3.The learned counsel appearing for the second respondent submitted that though the respondent appeared before the Legal Services Authority and submitted that if the petitioner is reported for duty, the respondents will provide work, the petitioner did not turn up for work from 16.12.2015 to till today. The then Manager Mr.Duraibalan was also transferred to other Branch. Now, two Jewel Appraisers are appointed by the Branch Manager and they are working.

4.Considering the above facts and circumstances of the case, the relief sought for in this Writ petition cannot be granted.

5.Accordingly, this Writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

msa

+1 CC to M/s.D.GEETHA, Advocate (SR-90472[F] dated 30/09/2019)

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and

W.M.P (MD) .No.955 of 2017
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