

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.210 of 2020

V.Chandrasekar @ V.C.Sivachandran .. Appellant in person/
party in person

vs.

1.Punjab National Bank,
General Manager,
Human Resource Development,
No.7, Bhikaji Cama Place,
New Delhi - 110 066.

2.Punjab National Bank,
rep. by its Deputy General Manager,
PF & Pension Fund Department,
Head office Rajendra Bhawan,
Rajendran Place,
New Delhi - 110 008. ... Respondents/
Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 09.1.2020 passed by the learned Single Judge in W.P.No.29013 of 2019.

WP.No.29013 of 2019:This Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 2nd respondent on 26.10.2015 in Retired Pension/61020/1614 and quash the same and consequently direct the 2nd respondent to intimate 2nd option for pension to the petitioner for the bank lapses for compassionate allowance pension and also for arrears of pension as he is eligible as per

Bank circular requirement date on or before 27.11.2009. Arrears of pension will be paid from 27.11.2009.

For Appellant : Mr.V.Chandrasekar @
V.S.Sivachandran
Appellant-in-person

JUDGMENT
(Delivered by The Hon'ble Chief Justice)

Having gone through the records and having perused the judgment dated 14.10.2019 passed in W.P.No.22700 of 2016 (V.Chandrasekar @ Sivachandran v. Punjab National Bank, General Manager, Human Resources Development, No.7, Bhikhjai Cama Place, New Delhi - 110 066 and another), we see no reason to draw a different conclusion from that of the learned Single Judge after having heard the appellant appearing in person.

2. The appellant appearing in person urges that the earlier writ petition, which was dismissed on 24.10.2018, had not been drafted with the correct prayer and therefore, he was compelled to file another writ petition. This cannot be a ground to file the second writ petition. The earlier judgment dated 24.10.2018 having become final, it was not open to the appellant to have preferred the second writ petition for the same cause of action. The appellant could have exercised his option by assailing the said judgment of the learned Single Judge on whatever permissible grounds were available.

3. In this view of the matter, the present appeal cannot be entertained, which is accordingly, consigned to records with the said observations.

We permit the appellant to approach the High Court Legal Services Committee to consider the request of the appellant and extend him any help for taking appropriate steps in the matter.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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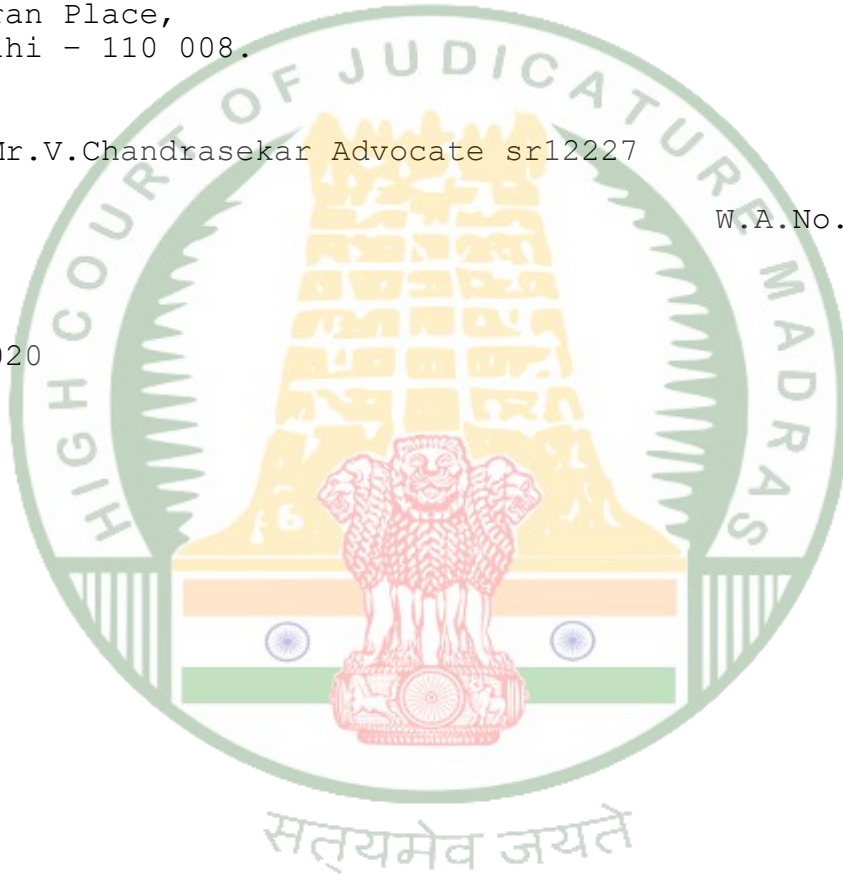
1.The General Manager,
Punjab National Bank,
Human Resource Development,
No.7, Bhikaji Cama Place,
New Delhi - 110 066.

2.The Deputy General Manager,
Punjab National Bank,
PF & Pension Fund Department,
Head office Rajendra Bhawan,
Rajendran Place,
New Delhi - 110 008.

+1 cc to Mr.V.Chandrasekar Advocate srl2227

W.A.No.210 of 2020

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