

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.21636 of 2004

1. State Bank of India Ambedkar  
Trade Union rep.by its General Secretary  
635, Raniammair Street  
Periyar Nagar, Chennai 600 039
2. State Bank of India Schedule Caste/  
Scheduled Tribes Employees Welfare Association  
rep.by its General Secretary  
22, Rajaji Salai, Chennai 600 001
3. Karunakaran
4. S.Anbugandhi
5. K.G.Mahalinkam ... Petitioners

-vs-

1. State Bank of India  
rep.by its Chief General Manager  
Local Head Office, College Road  
Chennai 600 006
2. Assistant General Manager  
(Personnel and HRD)  
State Bank of India, Local Head Office  
College Road, Chennai 600 006 ... Respondents

Petition under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the concerned records from the respondents, quash policy guidelines attached to the circular letter bearing Cir.Do.Per.No.82 dated 10.12.2003 issued by the first respondent in so far as clause "General" to the following extent "during a promotion year, a candidate may concurrently participate under the various channels for which he fulfils the eligibility criteria prescribed. Some of such candidates may qualify for promotion under more than one channel. However, they will have to choose for promotion under a channel of their choice. Thus some vacancies may remain unfilled in the other channels not opted for by such candidate(s). Such vacancies, if any, will not

be filled during the same promotion year", as illegal, arbitrary and in gross violation of Article 16 of the Constitution of India and the order dated 21.05.2004 bearing Per:PS:792 and for a consequential direction directing the respondent/Bank to fill up the declared vacancies in the Normal Channel pursuant to the selection held in 2003-2004.

For Petitioners :: Mr.Balan Haridas

For Respondents :: Mr.Rajinish Pathiyil

ORDER

When this writ petition was taken up for arguments, Mr.Rajinish Pathiyil, learned counsel appearing for the respondents, stating that the petitioners 1 & 2 being Union & Association, the third petitioner having retired from service and the petitioners 4 & 5 were already given promotion, as sought for in the present writ petition, nothing survives in the matter, saying so, sought for dismissal of the writ petition, as the prayer in the writ petition has become infructuous. He has also stated that the petitioners/Union & Association have directly come to this Court without approaching the jurisdictional Industrial Tribunal.

2. Therefore, the request made by Mr.Balan Haridas, learned counsel appearing for the petitioners to keep the issue open, has to be considered only by the Industrial Tribunal in appropriate case, as and when they approach the said forum. With this observation, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

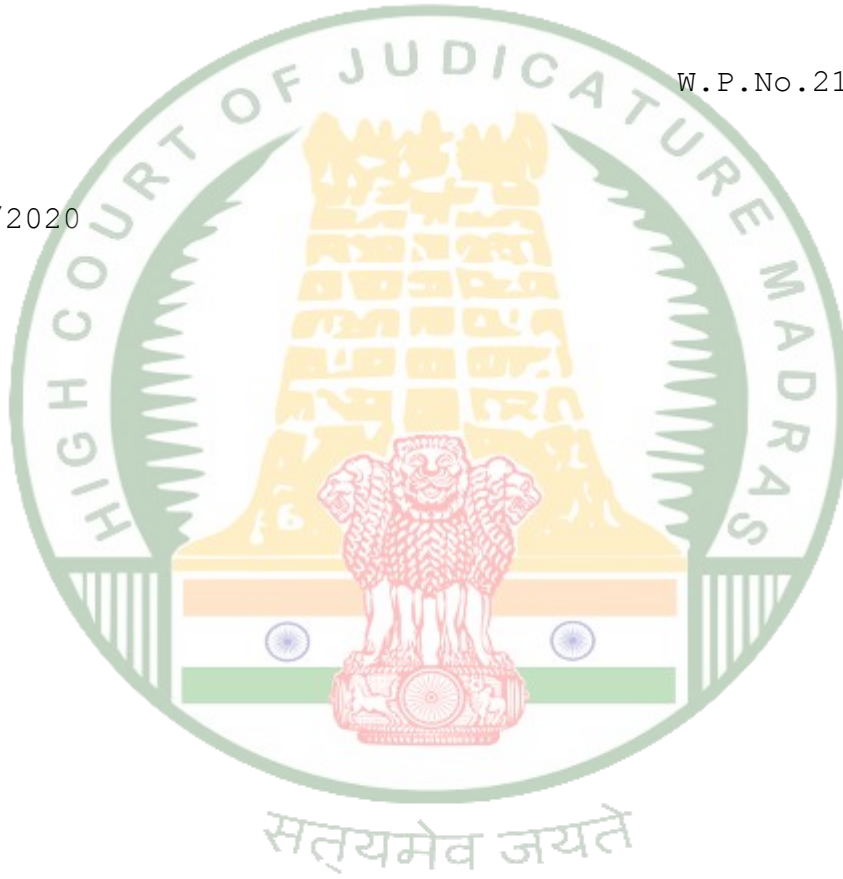
1. The Chief General Manager,  
State Bank of India,  
Local Head Office,  
College Road,  
Chennai 600 006.

2. The Assistant General Manager,  
(Personnel and HRD),  
State Bank of India,  
Local Head Office,  
College Road,  
Chennai 600 006.

+lcc to Mr.Rajnish Pathiyil, Advocate Sr.19787

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