



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.3999 of 2011

R.Mohanbabu (Died)

M.Rajeshwari

... Petitioner

[Petitioner is substituted for the deceased sole petitioner vide order dated 11.06.2019 in W.M.P. (MD)No.4833 of 2017]

-Vs-

1.The Deputy General Manager,
Head Office,
Indian Bank,
Compliance Dept,
61, Rajaji Salai, Chennai-1.

2.The Assistant General Manager,
Indian Bank, Vigilance Cell,
Circle Office,
Dr.Besant Road,
Kumbakonam.

3.The Branch Manager,
Indian Bank,
Rendampulikadu Branch,
51, Mallipattinam Road,
Rendampulikadu,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent, dated 14.06.2010 vide Ref.HRM/DPC/683/2010-11 and quash the same as illegal and consequently direct the first respondent to reinstate the petitioner with back wages for the post of Clerk/Shroff in the third respondent office.

For Petitioner

: Mr.B.Jameel Arasu

For Respondents

: Mr.Palaramasamy

ORDER

The order passed by the first respondent disciplinary authority, is under challenge in the present writ petition.

2.The petitioner was removed from service as per the settlement. The writ petitioner has to approach the labour tribunal

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for the redressal of his grievances. It is needless to state that the aggrieved employees of the bank who all are covered under the settlement as to exhaust the remedies provided under the settlement. The writ petitioner was a Clerk and therefore, he has to approach the labour tribunal concerned for the purpose of redressal of grievances in the manner known to law. This apart, the writ petitioner has raised certain grounds with reference to the conduct of enquiry which requires examination of witnesses and evidences as well as the original documents. Thus, it would be preferable that the petitioner approach the competent forum for the purpose of adjudication in the entire merits with reference to the original records. Therefore, the petitioner is at liberty to approach the competent forum for the purpose of redressal of grievances in the manner known to law.

3. With this liberty, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

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Indian Bank,
Compliance Dept,
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