



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01.12.2021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.A.No.1748 of 2013
and M.P.No.1 of 2013

1.Syndicate Bank,
rep by its General Manager (P),
Head Office, Manipal.

2.Dy.General Manager,
Syndicate Bank,
Zonal Office, 27/28,
Woods Road, Chennai - 600 002.

... Appellants/1st
& 2nd Respondents

Vs.

1.S.Saroja ...1st Respondent/Petitioner

2.Union of India,
rep by Ministry of Finance,
New Delhi - 110 001. ...2nd Respondent/3rd Respondent

Appeal filed under Clause 15 of the Letters Patent
against the order dated 22.04.2013 made in W.P.No.4213 of 2001.

Prayer in WP.No.4213 of 2001: Writ Petition is filed under Article 226 of the constitution of India to India for the issuance of a writ of declaration that the action of the respondent bank in issuing circular No.187/99/BC/PD/59/HRDD dated 27.09.99 in unilaterally changing the service conditions in so far as the petitioner is concerned as illegal and contrary to the Industrial Disputes Act, 1947 and consequently, direct the respondent bank to restore the position prevailed prior to the aforesaid circular regarding appointment to the dependents of the deceased employees on compassionate grounds by providing employment to the petitioner's son S.Balaji, who is qualified to be appointed as clerk.



For Appellants : Mr.T.S.Rajeev Gandhi
for M/s.N.V.S. And Associates
For Respondents : Notice not ready

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JUDGMENT

(Judgment was delivered by M.DURAISWAMY, J.)

Though the 1st respondent, who is the Writ Petitioner in W.P.No.4213 of 2001, had died in the year 2013 itself, the appellants have not taken any steps to bring on record the legal representatives of the deceased 1st respondent. The appellants have been taking time since 2019 to bring on record the legal representatives of the deceased 1st respondent. However, till today, the appellants have not taken any steps. In these circumstances, the Writ Appeal is liable to be dismissed as abated as against the 1st respondent.

2.It is also pertinent to note that the notice sent to the 2nd respondent in the Writ Appeal, who is also the 2nd respondent in the Writ Petition in W.P.No.4213 of 2001, was also returned unserved for the reason that the appellants have not given the correct details. Since the Writ Petitioner herself is no more and that no steps have been taken to bring on record her legal heirs, the Writ Appeal is liable to be dismissed as abated. Accordingly, the Writ Appeal is dismissed as abated. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

va

To
The Secretary,
Ministry of Finance,
Union of India,
New Delhi - 110 001.

+1cc to M/s.N.V.S & Associates, Advocate SR.No.62865

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NR(CO)
CB(13/12/2021)