

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.02.2021
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P.No.5217 of 2015

L.Kathiravan

... Petitioner

Vs

1. The Chief Manager,
Corporation Bank,
P.B.No.88, Mangaladevi temple Road,
Pandeshwar, Mangalore - 575 001.

2. The Deputy General Manager,
Corporation Bank,
No.38 & 39 Whites Road,
Chennai - 600 014.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to appoint petitioner as permanent staff by taking into account his initial appointment on 21.05.2008 within age limit and continued from 18.08.2009 to 30.09.2014 served to 8 branches by disposing the petitioners representation date 15.10.2014.

For Petitioner : Mr.M.Shiva Sudhaakar
For Respondents : Mr.V.Suthakar

ORDER

The prayer made in this Writ Petition is to direct the respondents 1 & 2 to consider the petitioner's representation dated 15.10.2014 and appoint him as permanent staff by taking into account his initial appointment on 21.05.2008 and continued to work from 18.08.2009 to 30.09.2014 in the branches of respondent bank.

2. According to the petitioner, through Kanchipuram District Employment Exchange, he received a call letter dated 10.05.2008 from the respondent Bank to attend interview for temporary engagement of sub staff or staff for its branches in Kanchipuram District. Accordingly, he attended the interview and produced the necessary documents for verification on 21.05.2008. Subsequently, by communication dated 23.09.2008, the respondent bank referred to 11 candidates for temporary sub staff work in Padur Branch, in which, the petitioner's name was found at sl.no.8, however, the candidates at sl.nos.1 and 2 & 7 alone were selected and recruited on permanent basis in 2008 and 2014 respectively. It is the grievance of the petitioner that though

he was called upon to work temporarily by letter dated 19.08.2009 and he was 30 years and 4 months old at that time, the petitioner was not given permanent appointment. Thereafter, pursuant to the call letter dated 22.11.2013, he attended the interview on 05.12.2013 for filling up of permanent sub staff vacancy at Chennai City branch offices and produced the requisite documents for verification. But, by communication dated 25.09.2014, he was informed that the prescribed age limit for sub staff post is below 31 years, whereas the petitioner crossed the age of 31 years and his engagement was irregular and in violation of the norms and hence, he is not eligible for appointment. Feeling aggrieved, he approached the respondent bank with a request to consider his candidature for permanent appointment. Finding no response on the said request, he has come up with this writ petition for the aforesaid relief.

3. The learned counsel for the petitioner submitted that taking note of the service rendered by the petitioner from 18.08.2009 to 30.09.2014 in the branches of the respondent bank and at the time of initial appointment, he was well within the age limit, this Court may direct the respondent bank to consider the case of the petitioner for permanent appointment and pass necessary orders.

4. On the other hand, the learned counsel appearing for the Respondents submitted that the respondent bank would consider the claim of the petitioner and pass orders, on merits, within a reasonable time to be fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

TO

1. The Chief Manager,
Corporation Bank,
P.B.No.88, Mangaladevi temple Road,
Pandeshwar, Mangalore - 575 001.

2. The Deputy General Manager,
Corporation Bank,
No.38 & 39 Whites Road,
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PL (CO)
KKN 28.04.2021



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