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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

WRIT APPEAL NO.233 OF 2018

1. R.Geethanjali
2. R.Renuka Devi
3. R.Shyam Sundar
4. R.Jayashree

... Appellants

.Vs.

The Deputy General Manager,
Disciplinary Authority,
Karur Vysya Bank Limited,
Central office, Erode Road,
Karur - 639 219.

... Respondent

PRAYER:-

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 04.10.2017 passed by this Court in W.P.SR.No.95830 of 2017.

Prayer in W.P.SR.No.95830 of 2017:-

Petition filed under Article 226 of the Constitution of India, praying for the issue of a writ of Mandamus, directing the respondent to modify the punishment of Dismissal to the first petitioner's husband namely Late K.P.Rajagopal issued on 15.02.2000 as Compulsory Retirement and quash the same.

For Appellants : Mr.S.Ilamvaludhi

For Respondent : Mr.Anand
For M/s.T.S.Gopalan & Co.





3.3. Thirdly, if the Writ Petitions of this type are allowed to be entertained, there would not be any sanctity to the departmental disciplinary proceedings.

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5. The order of dismissal is dated 15.02.2000 and the employee died on 09.07.2014. The employee ought to have challenged the dismissal order during his lifetime itself. When the employee itself has remained unmoved by the order of dismissal for 14 years, after his demise, his legal heirs have no locus to approach this Court seeking modification of the order of punishment. Even assuming for the sake of argument that, we are agreeing with the contention of the Appellants that, the Writ Petition can be jointly filed, a Writ Petition is not maintainable against a Private Bank, unless otherwise, there are statutory violations. Undoubtedly, if the prayer of the Appellants is answered in their favour, there will not be any sanctity to the departmental enquiry proceedings.

6. A dead issue cannot be revived at this distant point of time. Hence, in view of the foregoing, we find no merits in the Writ Appeal and accordingly, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

(aeb)

To

The Deputy General Manager,
Disciplinary Authority,
Karur Vysya Bank Limited,
Central office, Erode Road,
Karur - 639 219.

+1cc to M/s.T.S.Gopalan & Co., Vide S.R.No.44040

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SSI (CO)
PBS/22/09/2021