

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.14855 of 2014

B.Balamurugan

...Petitioner

Vs.

1.The Chairman,
Indian Overseas Bank,
Industrial Development Department,
Central Office: P.B.No.3765,
No.763, Anna Salai,
Chennai - 600 002.

2.The General Manager,
Indian Overseas Bank,
Industrial Development Department,
Central Office: P.B.No.3765,
No.763, Anna Salai,
Chennai - 600 002.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's appeal dated 25.04.2014 as against the impugned order of termination issued by the second respondent vide Ref.No.IRD/184/410/2013-14 dated 21.03.2014, considering all the above facts and circumstances, within a stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.K.Srinivasamurthy for R1 & R2

O R D E R

The petitioner has filed this writ petition seeking direction to the first respondent to dispose of his appeal dated 25.04.2014.

2.The learned counsel for the petitioner submitted that vide order dated 01.08.2011, he was selected and appointed as Messenger in the respondent Bank. While he was working as Messenger in the Fairlands Branch, Salem, vide order of the second respondent dated 21.03.2014, his service was terminated

on the ground that he has given false information that he has been working from 18.09.2005. Challenging the same, he filed an appeal dated 25.04.2014 before the first respondent and the same has not yet been considered. Hence, this writ petition.

3.The learned counsel appearing for the respondents submitted that there is no appeal remedy available to the petitioner. If at all the petitioner has any grievance, he has to raise an Industrial Dispute before the Regional Labour Commissioner (Central), Shastri Bhavan, Haddows Road, Chennai - 600 006.

4.In view of the submission made by the learned counsel appearing for the respondents, this Court grants liberty to the petitioner to prefer Industrial Dispute before the Regional Labour Commissioner (Central), Shastri Bhavan, Haddows Road, Chennai - 600 006, within a period of three weeks from the date of receipt of a copy of this order. If any such I.D. is preferred by the petitioner, the Tribunal shall entertain the same, without raising any issue with regard to the period of limitation and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties, as expeditiously as possible.

5.With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pri

To

1.The Chairman,
Indian Overseas Bank,
Industrial Development Department,
Central Office: P.B.No.3765,
No.763, Anna Salai,
Chennai - 600 002.

2.The General Manager,
Indian Overseas Bank,
Industrial Development Department,
Central Office: P.B.No.3765,
No.763, Anna Salai,
Chennai - 600 002.

3.The Regional labour,
Commissioner(Central)
Shastri Bhavan,
Haddows Road,
Chennai - 600006

+1cc to M/s.N.G.R.Prasad, Advocate, S.R.No.5772
+1cc to Mr.M.Kempuraj, Advocate, S.R.No.5640

W.P.No.14855 of 2014

JP II (CO)
KKV/26/02/2021



WEB COPY