



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P(MD)No.843 of 2020
& WMP(MD) No.618 of 2020

R.Saratha

... Petitioner

Vs.

General Manager,
Disciplinary Authority,
Indian Overseas Bank,
Central Office,
763, Anna Salai,
Chennai-600 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to forbear the respondent from withholding of 50% of basic pension and retain the present pension until disposal of the appeal filed before the respondent on 21.12.2019.

For Petitioner : Mr.K.S.Durai Pandian

For Respondents : Mr.N.Dilip Kumar

ORDER

Heard Mr.K.S.Durai Pandian, learned counsel for the petitioner and Mr.N.Dilip Kumar, learned counsel appearing for the respondent.

2.This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to forbear the respondent from withholding of 50% of back pension until disposal of the appeal filed by the petitioner before the respondent on 21.12.2019.

3.It appears that after retirement, the petitioner was initiated with disciplinary proceedings in respect of certain irregularities and imposed with a punishment of withholding of 50% of basic pension for a period of 5 years. Challenging the same, the petitioner preferred an appeal before the respondent herein on 21.12.2019. Now apprehending that even before disposal of the



appeal, the punishment so imposed on the petitioner may be given effect to, the petitioner has come forward with the present Writ Petition.

4. The learned counsel appearing for the respondent submits that during the pendency of the present Writ Petition, the appeal preferred by the petitioner has been disposed of by the Appellate Authority, confirming the punishment imposed by the Disciplinary Authority and therefore, virtually, there is nothing survives in the Writ Petition to be adjudicated.

5. In view of the submission made by the learned counsel for the respondent, no further order is required to be passed in this Writ Petition. Accordingly, the Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

General Manager,
Disciplinary Authority,
Indian Overseas Bank,
Central Office,
763, Anna Salai,
Chennai-600 002.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-36878[F] dated 01/12/2021)

W.P(MD)No.843 of 2020

30.11.2021

MGJ(30.12.2021) 2P 3C