



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) .No.13651 of 2021

WEB COPY

M. Basker

... Petitioner

Vs.

1. The General Manager
State Bank of India,
Local Head Office,
No.16, Circle Top House,
Aparna Complex, No.16,
College Lane,
Chennai - 600 006.
2. The Deputy General Manager,
State Bank of India,
Human Resource Section,
NW2, Administrative Office,
Madhuram Complex,
No. 2, Dr. Ambedkar Road,
Madurai - 625 002.
3. The Regional Manager,
State Bank of India,
FIMM Regional Business Office 5,
24, G.K.N Building, North Car Street,
Nagercoil - 629 001.
4. The Branch Manager,
State Bank of India,
Vilathikulam Branch,
Vilathikulam, Tuticorin District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Manadamus, directing the respondents to settle the terminal benefits relate to Provident Fund, Gratuity, Leave Encashment (Privilege Leave), Pension etc., to which the petitioner is entitled for with effect from 22.07.2008 along with interest at the rate of 12 % per annum in consideration of the representation submitted by the petitioner dated 07.08.2020 and 14.08.2020, within a time frame to be fixed by this Court.

For Petitioner : Mr. G.Sankaran

For Respondents : Mr. V.P. Rajan,
Standing Counsel

**O R D E R**

The prayer in this writ petition is for a issuance of a Writ of Mandamus, directing the respondents to settle the terminal benefits relate to Provident Fund, Gratuity, Leave Encashment (Privilege Leave), Pension etc., to which the petitioner is entitled for with effect from 22.07.2008 along with interest at the rate of 12 % per annum in consideration of the representation submitted by the petitioner dated 07.08.2020 and 14.08.2020, within a time frame.

2. According to the petitioner, he was dismissed from service on 22.07.2008 and thereafter the petitioner made representations on 07.08.2020 and 14.08.2020, claiming terminal benefits, namely Provident Fund, Gratuity, Leave encashment (Privilege Leave), Pension etc. It is submitted that the said representations are still pending with the respondent without any order being passed therein, resulting in great financial hardship to the petitioner and therefore the Petitioner has approached this Court with the present Writ Petition,

3. Mr. V.P. Rajan, learned counsel appearing for the respondents would submit that the writ petitioner is not entitled for the benefits as sought for in the prayer in the Writ Petition for the reason that he was dismissed from service, however he further submitted that based on the Regulations of the Bank, the representations of the petitioner will be considered and appropriate orders will be passed.

4. On considering the submissions of the parties, without expressing any opinion on merits, this court is inclined to direct the second respondent to consider the petitioner's representations dated 07.08.2020 and 14.08.2020 and pass orders on its own merits and in accordance with law as expeditiously as possible within a period of 12 weeks from the date of receipt of a copy of this order.

5. It is needless to state that while passing orders on the representations of the petitioner, the respondent shall consider and grant the benefits, as are available under the Scheme, and also consider to grant interest for the belated payment of the dues.

6. The Writ Petition stands disposed of with the above directions. No order as to costs.

Sd/-

Assistant Registrar (CRL)

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/ /2021

Sub Assistant Registrar(CS)



To:

The Deputy General Manager,
State Bank of India,
Human Resource Section,
NW2, Administrative Office,
Madhuram Complex,
No. 2, Dr. Ambedkar Road,
Madurai - 625 002.

+1 CC to M/s.F.DEEPAK, Advocate (SR-26294[F] dated 13/08/2021)

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RD(7.09.2021) 3P 3C