



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.17864 of 2021

WEB COPY

Vasuki

... Petitioner

Vs.

1.The Managing Director,
Canara Bank,
Canara Bank Buildings,
No.112, J.C.Road,
P.B.No.6648,
Bangalore - 560 002.

2.The Secretary,
Canara Bank (Employee's) Pension Fund,
H.O.Annexe, Naveen Complex,
No.14, M.G.Road,
Bangalore - 560 001.

3.The General Manager,
Canara Bank,
Circle Office,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent nos.1 to 3 to disburse all the retirement benefits of Late Mr.S.Mohandas, from the date of his retirement from service i.e., on 16.01.2012 along with the interest to the petitioner within the time frame as stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.N.Dilip Kumar,
Standing Counsel.

ORDER

The writ petition has been filed seeking for the issuance of a Writ of Mandamus, to direct the respondent nos.1 to 3 to disburse all the retirement benefits of Late Mr.S.Mohandas, from the date of his retirement from service i.e., on 16.01.2012 along with the interest to the petitioner within the time frame as stipulated by this Court.

2.According to the petitioner, her husband was working as Manager in the Syndicate Bank, Nagarcoil Branch. He was issued with a charge memo for the alleged misappropriation of funds in the said



Bank and subsequently, on 16.01.2012, he was issued with a punishment of compulsory retirement from the service of Bank with immediate effect. The petitioner made a representation to the respondent Bank on 30.07.2021 requesting to disburse all the retirement benefits of Late Mr.S.Mohan Das, deceased husband of the petitioner from the date of his compulsory retirement from service. However, no orders were passed and the said representation is still pending with the respondents. Hence, the present Writ Petition has been filed before this Court.

3.Mr.N.Dilip Kumar, the learned counsel appearing for the respondent would submit that the petitioner's deceased husband namely Mr.S.Mohan Das, made an application before the respondent Bank for the similar relief and the same was rejected by stating the reason that the genuineness of the Community Certificate was referred to the State Level Caste Scrutiny Committee and the same is pending. Till such final decision taken by the State Level Caste Scrutiny Committee, the petitioner's deceased husband's application was not considered. Therefore, the second application is not maintainable.

4.The learned counsel appearing for the petitioner would submit that the petitioner came to know the final order passed by the State Level Caste Scrutiny Committee only recently and therefore, an opportunity shall be granted to the petitioner to furnish the said final order passed by the State Level Caste Scrutiny Committee to the respondent Bank and the respondent Bank will take an appropriate decision for granting the benefit to the petitioner.

5.On considering the submissions made by the parties concerned, it is open to the petitioner to make an additional representation along with the final order passed by the State Level Caste Scrutiny Committee addressed to the third respondent Bank within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation being made, the respondent Bank shall consider the same on its own merits and in accordance with law expeditiously, preferably within a period of eight (8) weeks thereafter.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

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To

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3.The General Manager,
Canara Bank,
Circle Office,
Madurai.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-32652[F]
dated 26/10/2021)

W.P (MD) No.17864 of 2021
25.10.2021

SR (CO)
GC/PM(01.11.2021) 3P 5C