



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.21577 of 2021

V.Sathiyamoorthy

... Petitioner

Vs.

1.The Indian Overseas Bank,
Central Office,
rep. by its General Manager,
P.B.No.3765, 763, Annasalai,
Chennai-600 002

2.The Chief Regional Manager,
Indian Overseas Bank, Regional Office,
Thanjavur,
Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant permission to the petitioner to pursue his higher studies by considering the petitioner's representation dated 07.08.2021 in accordance with law, within a stipulated time.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.N.Dilip Kumar

ORDER

Heard Mr.C.Senthil Murugan, learned counsel for the petitioner and Mr.N.Dilip Kumar, learned counsel appearing for the respondents.

2.This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to grant permission to the petitioner to pursue his higher studies by considering the petitioner's representation dated 07.08.2021 in accordance with law, within a stipulated time.

3. According to the petitioner, he was appointed as Sub Staff (Messenger) in the respondent on daily wage basis and later pursuant to the 12(3) Settlement arrived at between the employees of the Union and the respondent bank, the petitioner was absorbed as regular staff. However, later, the petitioner was terminated from



service since he produced a false certificate in respect of experience. However, pursuant to the orders of this Court, the petitioner was reinstated into service, but due to certain lapses, he was placed under suspension. While so, the petitioner made a representation dated 07.08.2021, seeking permission to pursue higher studies, which evoked no response. Hence, the petitioner also made representations dated 16.09.2021 and 17.09.2021, which were also not considered. Hence, the Writ Petition.

4. The petitioner made representations to the respondent, seeking permission to pursue higher studies and since the same have been pending for consideration with the respondent, this Court, without expressing any opinion on merits, directs the respondents to consider the petitioner's representation dated 07.08.2021 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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:

1. The General Manager,
Indian Overseas Bank,
Central Office,
P.B.No.3765, 763, Annasalai, Chennai-600 002

2. The Chief Regional Manager,
Indian Overseas Bank, Regional Office,
Thanjavur,
Thanjavur District.

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MGJ(10.01.2022) 2P 3C

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