



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM :

THE HON'BLE MR. JUSTICE M. DURAISWAMY
AND
THE HON'BLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

Writ Appeal No.2633 of 2012
and
M.P.No.1 of 2012

1. India Overseas Bank

Represented by the Chairman
and Managing Directors,
Central Office,
762, Anna Salai,
Chennai - 600 002.

2. The Competent Authority
For Pension Regulations,
(General Manager),
India Overseas Bank,
Central Office,
762, Anna Salai,
Chennai - 600 002.

...Appellants/1& 2 Respondents

Vs.

1. M.K. Narayanan

...1st Respondent/Petitioner

2. Union of India,

Represented by its Secretary to the Banking Division,
Ministry of Finance,
New Delhi - 110 001.

... 2nd Respondent/3rd Respondent

Prayer : Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 17.07.2012 made in W.P.No.34507 of 2003.

Prayer in W.P.No.34507 of 2003:

Writ Petition is filed under Article 226 of the Constitution of India, praying for a Writ of Declaration, declaring that sub-clause (c) of clause (s) of Regulation 2 of Indian Overseas Bank (Employees) Regulation, 1955, is null and void and direct the 2nd respondent to pay the petitioner the difference in Basic Pension and additional Pension and commutation of Pension with interest



at a rate to be determined by this Court in terms of the Indian Overseas Bank (Employees) Pension Regulation, 1955.

For Appellants : Mr.K.Srinivasa Murthy
For R1 : No appearance
R2 : Notice served-No appearance

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J U D G M E N T

(Delivered by M. DURAISWAMY, J.)

Challenging the order passed in W.P.No.34507 of 2003, the respondents 1 and 2 have filed the above Writ Appeal.

2.When the Writ Appeal is taken up for hearing, Mr.K.Srinivasa Murthy, learned counsel appearing for the appellants, submitted that the issue involved in the present Writ Appeal has already been decided against the appellants by the Hon'ble Supreme Court in Civil Appeal No.5525 of 2012, dated 13.02.2018, hence, the Writ Appeal may be closed.

3.Recording the submission made by the learned counsel for the appellants, following the ratio laid down by the Hon'ble Supreme Court in the judgment referred above, the Writ Appeal stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

mkn
To

The Secretary to the Banking Division,
Ministry of Finance,
New Delhi - 110 001.

+lcc to Mr.N.G.R.Prasad, Advocate, S.R.No.5905 [06/05/2022]

Writ Appeal No.2633 of 2012

ssd[co]
srg 10/02/2022