



W.P(MD)No.7872 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.7872 of 2020

K.Krishnan

... Petitioner

Vs.

1.The Chief Executive Officer/Managing Director,
Indian Overseas Bank,
Central Office – P.B.No.3765,
763 Anna Salai,
Chennai – 600 002.

2.The Chief Manager,
Indian Overseas Bank,
Regional Office,
Plot No.40, Eighty Feet Road,
Arignar Anna Nagar,
Madurai,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent herein in his proceedings in R.O/HRMD/12/2020-21 dated 15.05.2020 and quash the same as illegal and direct the respondents to settle the privilege leave encashment.



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For Petitioner : Mr.S.Sarvagan Prabhu
For Respondents : Mr.N.Dilip Kumar,
Standing Counsel

ORDER

This Writ petition has been filed challenging the impugned order passed by the second respondent in his proceedings in R.O/HRMD/12/2020-21, dated 15.05.2020 and to direct the respondents to settle the privilege leave encashment.

2. The case of the petitioner is that he joined in the respondent bank as a messenger on 13.09.1974 at Dindigul Town main branch. Subsequently, he was promoted as Cashier-cum-Clerk and posted at various places in and around Dindigul District. During his tenure, the petitioner was issued with a charge-memo and after enquiry, the charges were proved and the petitioner was discharged from service in the year 2017. The grievance of the petitioner is that though he received all the retirement benefits, he was denied of privilege leave encashment. Hence, the petitioner made a representation to the second respondent to settle the privilege leave encashment. However, the second respondent rejected the claim of the petitioner vide the impugned order. Challenging the same,



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the present writ petition has been filed.

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3. The learned standing counsel appearing for the respondents would submit that it is purely a dispute between the employer and employee and therefore, the petitioner has to approach the Labour Court to redress his grievance.

4. In view of the same, without expressing any opinion on the merits of the matter, this writ petition is dismissed. No Costs. However, liberty is hereby granted to the petitioner to work out his remedy before the Labour Court in the manner known to law.

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Index: Yes/No

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