



REV. APLW.(MD) No.52 of 2022
in
W.P.(MD)No.12312 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 02.11.2022

PRONOUNCED ON: 15.11.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

REV. APLW.(MD) No.52 of 2022
in W.P.(MD)No.12312 of 2018

V.Rajapandian

.. Petitioner

vs.

1.The Indian Bank,
represented by its Chairman cum Managing Director,
254-260, Avvai Shanmugam Salai,
Royapettah, Chennai - 600 014.

2.The Executive Director,
(Reviewing Authority),
Indian Bank,
254-260, Avvai Shanmugam Salai,
Royapettah, Chennai - 600 014.

3.The General Manager,
(Appellate Authority),
Indian Bank,
254-260, Avvai Shanmugam Salai,
Royapettah, Chennai - 600 014.

4.Deputy Zonal Manager,

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Assistant General/ Disciplinary Authority,
Indian Bank, Circle Office,
East Avani Moola Street,
Madurai – 625 001.

.. Respondents

Review Application is filed under Section 114 and Order 47 Rule 1 of C.P.C. to review as against the aggrieved portion of observation made in Writ Petition(MD) No.12312 of 2018, dated 14.06.2022, by this Court.

For Petitioner : Mr.A.Murugan
For Respondents : Mr.S.Suresh
for M/s.Aiyor and Dolia

ORDER

The present Review Application has been filed seeking review of the order in W.P.(MD) No.12312 of 2018, dated 14.06.2022

2. The prayer in the writ petition is to quash the impugned order, dated 30.05.2017 and consequently, to direct the respondents to reinstate the petitioner with back wages and continuity of service and other benefits.

3. Originally, the disciplinary authority had imposed a punishment of



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reduction by five stages. Based on the second stage advice of the General Manager, Vigilance Department, the respondents have imposed a punishment of compulsory retirement. There was no discussion at all why the disciplinary authority is accepting the recommendations of the Vigilance and Anti-corruption, which will amount to non-application of mind. Hence this Court had passed an order setting aside the punishment of “compulsory retirement” and imposed the original punishment which was proposed, i.e., “Reduction by 5 stages” and granted all consequential relief. However, this Court declined to grant backwages on the principles of no work no pay. Now, the petitioner has come up with this review application claiming backwages. Under the guise of review application, the petitioner is praying to revisit the entire case. There are several judgments, wherein it is stated that backwages are not automatic. In the present case, this Court had declined to grant backwages based on the principles of “No Work No Pay”. The petitioner has not raised any ground which is error apparent on the face of the record.



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4. Hence, this Court declines to entertain the review application and the review application is dismissed. No costs.

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Index: Yes / No

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S.SRIMATHY, J.

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REV. APLC.(MD) No.129 of 2022
in WA.(MD)No.899 of 2022

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