



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P. (MD)No.5026 of 2014

and

M.P. (MD)Nos.1 and 2 of 2014

WEB COPY

K. Paulpandi

... Petitioner

vs.

1.The Presiding Officer,
The Central Government Industrial Tribunal
Cum Labour Court,
Chennai.

2.The Deputy General Manager,
(Appellate Authority),
State Bank of India,
Zone Office,
Trichirappalli.

3.The Assistant General Manager,
(Disciplinary Authority),
State Bank of India,
Region II, Zonal Office,
Trichirappalli.

4.The Branch Manager,
State Bank of India,
Aavoor, Virudhuangar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for records pertaining to the order, dated 26.12.1994, passed by the 3rd respondent, which is confirmed by the 2nd respondent by order, dated 10.12.1996, as well as the award, dated 11.02.2003, made in I.D.No.672 of 2001, passed by the first respondent and to quash the same and consequently, to direct the respondents to reinstate the petitioner into service with all back wages with attendant service benefits.

For Petitioner : Mr.P.R.Prithiviraj

For R1 : Labour Court

For R2 to R4 : Mr.M.Ponniah



O R D E R

This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the order, dated 26.12.1994, passed by the 3rd respondent, which is confirmed by the 2nd respondent by order, dated 10.12.1996, as well as the award, dated 11.02.2003, made in I.D.No.672 of 2001, passed by the first respondent and to quash the same and consequently, to direct the respondents to reinstate the petitioner into service with all back wages with attendant service benefits.

2.When the Writ Petition was taken up for hearing the learned Counsel appearing for the petitioner as well as respondents submitted that the petitioner died on 12.07.2018 and it is an admitted fact that there is no first class legal heirs for the petitioner. The learned Counsel appearing for the respondents submitted that all the entitlement to the petitioner are all paid by the Bank and there is no monetary benefits available to the petitioner which is payable.

3.Therefore, this Court is of the considered opinion that the Bank has already paid the amount. However, the learned Counsel appearing for the petitioner submitted that if there is any monetary benefits available, the same shall be paid to the second class legal heirs. Since it is a separate cause of action and if there is any entitlement, the petitioner's second class legal heirs are at liberty to make any representations and if there is anything, the respondents are directed to consider the same and pass orders.

4.With the above direction, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

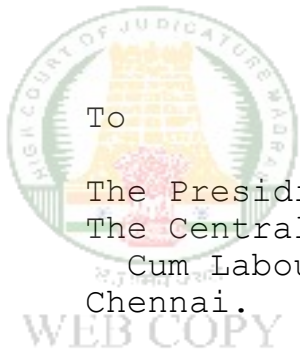
/ /2022

Sub Assistant Registrar(CS)

Tmg

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

The Presiding Officer,
The Central Government Industrial Tribunal
Cum Labour Court,
Chennai.

+1 CC to M/s.M.PONNIAH, Advocate (SR-18657[F] dated 13/04/2022)

+1 CC to M/s.D. SADIQ RAJA, Advocate (SR-18721[F] dated
13/04/2022)

W.P. (MD) No.5026 of 2014

and

**M.P. (MD) Nos.1 and 2 of 2014
13.04.2022**

RK(13/05/2022) 3P 4C