



WEB COPY



Writ Appeal No.1588 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.07.2023

CORAM

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU**

**Writ Appeal No.1588 of 2018 &
CMP.No.20917 of 2019**

M.Truman ... Appellant

Vs

- 1.The Chairman and Managing Director,
Indian Overseas Bank,
Central Office, No.763, Annasalai, Chennai.
- 2.The Executive Director,
Indian Overseas Bank,
Central Office, No.763, Annasalai, Chennai.
- 3.The Deputy General Manager,
Disciplinary Authority,
Indian Overseas Bank,
Central Office, No.763, Annasalai, Chennai. ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letter Patent against the order dated 06.12.2013 made in W.P.No.32225 of 2002.

For Appellants : Mr..M.Truman (Party-in-Person)



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For Respondent : Mr.K.Srinivasamurthy for RR1 to 3

JUDGMENT

(Order of the Court was made by Mr.R.SURESHKUMAR.,J.)

The present Intra-Court Appeal has been filed against the order dated 06.12.2013, made by the Writ Court in W.P.No.32225 of 2002.

2.It is unfortunate that this appeal has been filed by the appellant, who appeared in person before this Court without knowing what is the forum before which he can agitate any other issue with regard to his retirement or voluntary retirement, post retirement benefits and pension etc.

3.The reason for this observation that we made in, as against the order dated 06.12.2013, the appellant already filed another Intra-Court Appeal in W.A.No.791 of 2014, which came to be disposed by the Division Bench of this Court by order dated 03.07.2014, with the following effect:-

The learned counsel for the appellant has made an endorsement in the writ appeal indicating that he is withdrawing the writ appeal.

2.In view of the endorsement so made by the learned counsel for the appellant, this writ appeal is dismissed as withdrawn with



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liberty to the appellant to take recourse to law. We grant the such liberty as the appellant seeks to get a relief based upon the IOB Officers/Employees Voluntary Retirement Scheme – 2000, which is not the subject matter of the writ petition. No costs.

4. Therefore the issue has already been given a quietus by the dismissal of the W.A.No.791 of 2014. Hence, once again the very same issue by filing the present appeal against the order passed by the learned Judge dated 06.12.2013, cannot be raised and thus, filing of this Writ Appeal is gross abuse of process of law.

5. However since no counsel has appeared on behalf of the appellant and only the appellant appeared party-in-person, while we are dismissing this Writ Appeal for the aforesaid reason, we are restrained ourselves from imposing any cost for the abuse of process of law.

6. It is made clear that pursuant to the liberty that has been recorded in the order dated 03.07.2014, by the Division Bench of this Court, if at all the appellant has got any grievance, he can agitate the issue in the manner known to law, which means at the appropriate forum. Therefore,



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that would not give any right to the appellant to file one more appeal against the very same order passed by the Writ Court dated 06.12.2013.

7.For all these reasons, the Writ Appeal is dismissed. Con-
sequently connected Miscellaneous Petition is closed. However, there shall
be no order as to costs.

(R.S.K.,J.)

(K.B., J.)

07.07.2023

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation:Yes/No

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To

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