



W.P.No.12826 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.12826 of 2022

S.Aiyappan

... Petitioner

Vs.

1. The Managing Director and CEO,
Indian Bank, Corporate Office, 254-260,
Avvai Shanmugam Salai,
Royapettah, Chennai - 600 014.
2. The Deputy General Manager / Appellate Authority,
Corporate Office, 254-260,
Avvai Shanmugam Salai,
Royapettah, Chennai - 600 014.
3. The Assistant General Manager /
General Manager (Disciplinary Authority),
Indian Bank, No.31, Variety Hall Road,
Coimbatore - 641 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to grant him pension based on the petitioner's representation dated 15.06.2019 and in the light of the internal communication ref:CO:CBE:HRM:C.22440:2010-11, dated 11.10.2010, as per Regulation 33 of the Indian bank (Employees) Pension Regulation 1995.



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For Petitioners : Mr.N.Sachidanandam

For Respondents

For R3 : Mr.Rita Chandrasekar for
M/s.Aiyar & Dolia

ORDER

The Writ Petitioner was appointed as a Clerk in the Indian Bank, Devarshola, Gudalur, Nilgiris District during the year 1984 and thereafter he was transferred to various branches and retired during the year 2018. On 10.11.2008, while the petitioner was in service, he was suspended on an alleged misconduct on his part. In the enquiry report, dated 20.10.2009, it was concluded that the petitioner is found guilty of the charges framed against him. The Disciplinary Authority vide his letter dated 05.04.2010, imposed a punishment of dismissal from service without issuing any notice to the petitioner. The said order was challenged by way of an Appeal before the CGIT cum Labour Court, Chennai in I.D.No.9/2012 and the same was allowed on 23.04.2014. It is the grievance of the petitioner that he is entitled for pension as per Regulation 33 and 46 of the Indian Bank Employees Pension Regulation, 1995.



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2. Mr.N.Sachidanandam, learned counsel for the petitioner contended that the petitioner made a representation dated 15.06.2019 before the 1st respondent / General Manager, Indian Bank, Royapettah, Chennai and the same was not considered till date. He therefore filed the present Writ Petition, seeking a direction to the respondents to pass orders on his representation.

3. The main contention of the Writ Petitioner is that as per Regulations 33 and 34 of the Indian Bank (Employees') Pension Regulations, 1995, he is entitled to get pension and his representation dated 15.06.2019 has not been considered till date.

4. In the circumstances, without going into the merits of the case projected by the petitioner either in his affidavit or in his representation, dated 15.06.2019, the 1st respondent is directed to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above observation, this Writ Petition is disposed of.

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No costs.

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Index: Yes/No

Speaking/Non-Speaking order
vum

To

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R. HEMALATHA, J.

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