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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.29225 of 2023

Mr.S.Udayakumar

... Petitioner

Vs.

1. M/s. Bank of Baroda (erstwhile Vijaya Bank)

HR Operations,
Baroda House, Mandvi,
Baroda – 390 001.

2. Bank of Baroda (erstwhile Vijaya Bank),

No.123, Dugar Towers, RL Road,
Egmore, Chennai – 600 008.

3. M/s. Bank of Baroda (erstwhile Vijaya Bank),

No.31, Palani Towers,
Venkata Narayana Road,
T. Nagar, Chennai – 600 017.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 2nd respondent to consider the representation dated 28.08.2023.

For Petitioner : Mr.P.K.Ganesh

For Respondents : Mrs.Revathi Manivannan



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ORDER

The Writ Petition has been filed for consideration of the petitioner's representation dated 28.08.2023, wherein he had sought for reconsideration of his termination order dated 25.04.2005, on the ground that he has been acquitted from the criminal charges in C.C.No.1385 of 2008 dated 24.11.2022.

2. The petitioner herein was originally terminated from service on 25.04.2005 on certain proven charges relating to fraudulent withdrawal of amounts from the savings bank accounts of various persons. On the ground that the criminal case relating to the charges levelled against him has ended in acquittal, he has made the present Writ Petition.

3. When the order of termination has become final, I am unable to comprehend as to how the respondents can, based on the petitioner's representation, set aside the order of termination. On the other hand, the appropriate remedy available to the petitioner would be to challenge the order of termination. Incidentally, the order of acquittal was recently passed by the IX Metropolitan Magistrate Court, Saidpet on 24.11.2022 and therefore, this Court is of the view that an opportunity can be given to the



petitioner to challenge the order of termination. In view of the same, the present prayer sought for does not require further consideration.

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4. Accordingly, the Writ Petition stands dismissed with liberty to the petitioner to challenge the order of termination dated 25.04.2005 in accordance with law. No costs.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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M.S.RAMESH, J.

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