



W.P.No.31942 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31942 of 2023

S. Mahadevan Pillai

... Petitioner

Vs.

1.The Chairman,
State Bank of India,
Central Office,
State Bank Bhawan,
Nariman Point, Mumbai – 400 021.

2.The State Bank of India,
Rep. by the Chief General Manager,
Tamil Nadu Zone,
No.16, College Road,
Chennai – 600 006.

3.The Regional Manager,
State Bank of India,
SN High Road,
Tirunelveli – 627 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 03.10.2023 to regularize the



W.P.No.31942 of 2023

petitioner's service from the date of initial appointment dated 25.11.1980 and consequently direct the respondents to give pension as per State Bank of India Employees Pension Fund Regulations 2014 with all consequential benefits and arrears.

For Petitioner : M/s.S. Esairani Narasimman

For R2 : Mr.M.L. Ganesh,

For R3 : Mr.P. Rashunathan
for M/s.T.S. Gopalan & Co.

ORDER

The petitioner herein has given a representation to the respondents on 03.10.2023, seeking for regularization of his service from the date of initial appointment dated 25.11.1980 and to give pension as per the State Bank of India Employees Pension Fund Regulations 2014, with all monetary and service benefits. Since the said representation has not been considered till date, the present Writ Petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such,



W.P.No.31942 of 2023

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non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the third respondent herein, to consider the petitioner's representation dated 03.10.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

29.11.2023

Index:Yes/No

Speaking order/Non-speaking order

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W.P.No.31942 of 2023

M.S.RAMESH,J.

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To

- 1.The Chairman,
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W.P.No.31942 of 2023

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