



WEB COPY



W.P.No.319 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.319 of 2023  
and W.M.P.No.301 of 2023

G.Raj

.. Petitioner

VS

1.Canara Bank Rep. By its  
Chairman and Managing Director,  
Naveen Complex,  
14, M.G.Road, Bangalore,  
Karnataka – 560 002.

2.The Chief General Manager,  
Canara Bank, Naveen Complex,  
14, M.G.Road, Bangalore,  
Karnataka - 560 002.

3.The General Manager  
Canara Bank,  
563, P.B.1078,  
1, Anna Salai, Teynampet,  
Chennai – 600 018.

.. Respondents

Petition filed under Article 226 of the Constitution of India  
praying to issue a writ of mandamus directing the respondents to  
consider the representation of the petitioner dated 05.12.2022 and  
direct the respondents to pay to the petitioner, the difference to the



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total of Rs.24,84,320.03p (Twenty-Four Lakhs Eighty-Four Thousand Three Hundred and Twenty and Paise three only) and the commutation of pension for the aforesaid period in respect of the difference pension payable to the petitioner apart from other attendant benefits and further the petitioner may be paid the pension of Rs.46,873/- p.m. with attendant benefits for the month of November 2022 onwards.

|                 |   |                                                             |
|-----------------|---|-------------------------------------------------------------|
| For Petitioner  | : | Mr.M.Ramamoorthi                                            |
| For Respondents | : | Mr.M.A.Abdul Wahab<br>for<br>M/s.K.V.Subramaniam Associates |

### ORDER

1. The grievance of the petitioner in the writ petition is that despite his salary having been re-fixed pursuant to the civil Court decree, which has been confirmed by the Supreme Court, his pension amount has not been re-fixed.

2. The petitioner has retired from service and he has not received the revised pension pursuant to re-fixation of his salary. He has given representation on 15.12.2022 to the respondent / Bank



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requesting them to revise his pension amount pursuant to the re-fixation of his salary. Since the representation has not been considered till date, he has filed this writ petition.

2. Heard Mr.M.Ramamoorthi, learned counsel for the petitioner and Mr.A.M.Abdul Wahab, learned counsel accepts notice on behalf of the respondent / bank.

3. The petitioner has filed documents along with this writ petition including the civil court decree wherein his salary was re-fixed. Based on the same, the petitioner seeks for re-fixation of his pension amount. The petitioner claims that he has been receiving the existing pension only and not the revised pension amount.

4. No prejudice would be caused to the respondents if the petitioner's representation, as stated supra, is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law



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on the petitioner's representation dated 05.12.2022 seeking for re-fixation of his pension amount based on the re-fixation of his salary amount pursuant to the civil court decree passed in his favour within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

06.01.2023

Index:Yes/No  
Neutral Citation:Yes/No  
ssm

To

- 1.The Chairman and Managing Director,  
Naveen Complex,  
14, M.G.Road, Bangalore,  
Karnataka – 560 002.
- 2.The Chief General Manager,  
Canara Bank, Naveen Complex,  
14, M.G.Road, Bangalore,  
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- 3.The General Manager  
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563, P.B.1078,  
1, Anna Salai, Teynampet,  
Chennai – 600 018.



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ABDUL QUDDHOSE,J.

ssm

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