



WEB COPY



W.P.No.3262 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3262 of 2024

M.Senthilvelan

...Petitioner

-Vs-

The Managing Director,
Co-operative Urban Bank,
Dharmapuri.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to promote the petitioner as Assistant Manager, Manager and General Manager on par with his colleagues and refix his pay and allowances on par with them along with all attendant benefits in the light of the representations dated 05.09.2023, 01.10.2023 and 02.12.2023 sent by the petitioner.

For petitioner : Mr.J.Saravana Vel

For respondent : Mr.V.Vijay Shankar,
Standing Counsel



W.P.No.3262 of 2024

ORDER

This writ petition has been filed for direction directing the respondent to consider the representation submitted by the petitioner seeking promotion to the post of Assistant Manager, Manager and General Manager on par with his junior colleagues and refix his salary.

2. The petitioner had joined in the service in the respondent Bank as Junior Assistant in the year 1990 and his service was confirmed by proceedings dated 13.01.1993 in the post of Junior Assistant. Thereafter, the said post was re-designated as Assistant. While being so, the respondent initiated surcharge proceedings against several employees under section 87 of Tamilnadu Co-operative Societies Act. It was challenged before the Tribunal and the same was rejected. Once again, the petitioner and other employees challenged the order passed by the Tribunal before this Court in C.R.P.No.589 of 2022. This Court allowed the C.R.P.No.589 of 2022 by an order dated 21.04.2022 and set aside the surcharge proceedings. In pursuant to the enquiry report, a criminal case was registered which culminated into C.C.No.234 of 2020 on the file of the Judicial Magistrate No.II, Dharmapuri. The entire proceedings was challenged before this court



W.P.No.3262 of 2024

in CrI.O.P.No.22561 of 2022. This court passed an order dated 30.08.2023 and quashed the entire proceedings in C.C.No.234 of 2020. Therefore, the petitioner submitted representation on the ground that he has completed 33 years of service and he is not even getting any promotion. The criminal case reached its finality and seeking promotion on par with his juniors, thereafter, the petitioner submitted so many representations before the respondent.

3. Considering the above facts and circumstances, the respondent is directed to consider the petitioner's representations in view of the surcharge proceedings and quashment of criminal case against the petitioner within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of. No costs.

14.02.2024

Index : Yes/No
Internet: Yes/No
gvn

G.K.ILANTHIRAIYAN,J.



WEB COPY

To

The Managing Director,
Co-operative Urban Bank,
Dharmapuri.



W.P.No.3262 of 2024

gvn

W.P.No.3262 of 2024

14.02.2024

4/4