



W.P.No.5919 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.09.2024

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THE HON'BLE MR. JUSTICE **BATTU DEVANAND**

W.P.No.5919 of 2018
and WMP.No.7295 of 2018

K.Sasik Kumar

... Petitioner

Vs.

1. The Managing Director and Chief Executive Officer-HRD
Reviewing Authority,
Karur Vysya Bank Limited,
Human Resources Department,
Central Office, Karur.
2. Thiru P.Seshadri
The Managing Director and Chief Executive Officer-HRD,
Reviewing Authority,
Karur Vysya Bank Limited,
Human Resources Department,
Central Office, Karur.
3. The Assistant General Manager-HRD,
Appellate Authority,
Karur Vysya Bank Limited,
Human Resources Department,
Central Office, Karur.



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4. The Deputy General Manager – HRD,
and Disciplinary Authority,
Karur Vysya Bank Limited,
Human Resources Department,
Central Office,
Karur.
5. The Inquiring Authority,
Karur Vysya Bank Limited,
Human Resources Department,
Central Office,
Karur.
6. The Branch Manager/Head
Tiruvarur Branch,
Karur Vysya Bank Limited,
Tiruvarur.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned orders bearing Nos.HRD/0-21/09/2013, dated 19.09.2013, being the Articles of Charge issued by the Deputy General Manager – HRD and Disciplinary Authority, Karur Vysya Bank Limited, Human Resource Department, Central Office, Karur, namely the 4th respondent herein, impugned final order bearing No.HRD/DP/15/2014, dated 02.08.2024 issued by the Deputy General Manager – HRD and Disciplinary Authority, Karur Vysya Bank Limited, Human Resource Department, Central, Office, Karur, namely the 4th respondent herein, impugned Administrative order issued by the Assistant General Manager-HRD, Appellate Authority, Karur Vysya Bank Limited, Human Resources Department, Central Office, Karur, impugned Show Cause Notice issued by the Managing Director and Chief



Executive Officer-HRD, Reviewing Authority, Karur Vysya Bank Limited, Human Resources Department, Central Office, Karur bearing No.HRD/DP/06/2015, dated 20.04.2015 and impugned order HRD/DP/21/2015, dated 25.08.2015 issued by the Managing Director and Chief Executive Officer-HRD, Reviewing Authority, Karur Vysya Bank Limited, Human Resources Department, Central Office, Karur and may be pleased to quash all the above said orders as non-est in the eye of law and consequently to direct the 1st respondent herein namely Managing Director and Chief Executive Officer-HRD, Reviewing Authority, Karur Vysya Bank Limited, Human Resources Department, Central Office, Karur, to reinstate the petitioner into service as Manager, Karur Vysya Bank Limited, Tiruvarur Branch with effect from the date of the order of dismissal namely 25.08.2015 with attendant, service and monetary benefits and with community of service from the said date with full back wages for the above said period of out of employment to date of reinstatement and further to grant promotion to the petitioner in the post of Manager Scale III to which he became eligible during March 2015 within a time-frame that may be stipulated by this Court.

For Petitioner : M/s.R.Meenakshi

For Respondents : Mr.S.Shushanth
M/s.T.S.Gopalan

ORDER



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During the course of hearing, the learned counsel for the respondents raised a preliminary objection with respect to the maintainability of the Writ Petition. He contends that the respondent Bank is a Private Bank and it is not amenable to the Writ Jurisdiction unless there is extraordinary contingencies to compel the Private Bank or Bank or an Association to enforce the statutory obligation. As the present Writ Petition does not give rise to any such ground to the petitioner herein and to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, this Writ Petition is not maintainable.

2. At this stage, the learned counsel for the petitioner sought permission of this Court to approach appropriate Forum to ventilate the grievances of the petitioner in accordance with law.

3. Considering the request of the learned counsel for the petitioner and on careful perusal of the facts and circumstances of the case, this Court intends to dispose of this Writ Petition without going into the merits of the case by granting liberty to the petitioner to approach the appropriate Forum to ventilate the grievance of the petitioner in accordance with law, if so



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advised.

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4. Accordingly, the Writ Petition is disposed of.

No costs.

Consequently, connected miscellaneous petition is closed.

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Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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