



W.P. No.7891 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.7891 of 2015

and

M.P. Nos.1, 2 and 3 of 2015

S.Anbarasu

... Petitioner

Vs

- 1.The General Manager,
Canara Bank, Human Resources Wing,
No.112, JC Road, Head Office,
Bangalore 560 002.
2. The General Manager,
Canara Bank, Human Resources Section,
Circle Office, TV Samy Road (West),
R.S.Puram, Coimbatore 641 002.
3. The Assistant General Manager,
Canara Bank, HRM Section,
Circle Office, TV Samy Road (West),
R.S.Puram, Coimbatore 641 002.
4. The Branch Manager,
Canara Bank, Pasur Branch,
Erode 638 154.



W.P. No.7891 of 2015

5. The Deputy Director,
Employment exchange office,
Chinimalai Road, Erode 638 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Impugned letter No.CBECO HRM E16 2799 2014 ABK dated 09.12.2014 issued by the 3rd Respondent requesting 5th Respondent employment exchange to sponsor candidates to be appointed as House Keeper cum Peon and quash the same as illegal, arbitrary, discriminatory and unfair and consequently direct the respondents 1 to 4 to implement the terms and condition of Memorandum of Settlement dated 01.09.2014 to the petitioner also on par with the other permanent part time employees to whom the terms and conditions of the above said settlement have already been implemented.

For Petitioner	: M/s.M.Gnanasekar
For R1 to R4	: M/s.T.R.Sathiyamohan
For R5	: Mr.Abishek Murthy Government Advocate

ORDER

The present writ petition has been filed challenging the impugned letter dated 09.12.2014 issued by the 3rd Respondent requesting the 5th Respondent employment exchange to sponsor candidates to be appointed



W.P. No.7891 of 2015

as House Keeper cum Peon and to quash the same.

WEB COPY

2. The Petitioner was engaged as a part time employee on 21.09.1995 and had been working with the 4th Respondent till date i.e. for more than 19 years. The Respondent bank management and the Canara Bank employees union entered into a settlement dated 30.08.2014 with regard to relaxation in age and qualification for those persons who were engaged by the branches as House Keeping Personnel on part time basis while filling up the vacancies of House Keeping and Peon in terms of the Memorandum of settlement dated 24.01.2014. The above settlement also prescribes certain eligibility and conditions for the part time employees to avail the benefits in terms of the said settlement.

3. It is submitted by the learned counsel for the petitioner that they satisfy all the eligibility conditions set out in the said settlement. It was also brought to the notice of this Court that under similar circumstances this Court was pleased to direct the respondent bank to consider the petitioner's request for being absorbed in terms of the settlement on condition that they fulfill the conditions as per the settlement deed dated 24.01.2014.



W.P. No.7891 of 2015

WEB COPY

4. The learned counsel for the Respondent would submit that the petitioners may make a representation and the same would be considered in accordance with the settlement deed subject to the petitioner fulfilling the requisite conditions.

5. In view thereof, the petitioner's are directed to submit a representation within a period of 3 weeks to the Respondents and the appropriate Respondent shall dispose of the said representation after granting an opportunity within a period of 6 weeks thereafter. The writ petition stands disposed of on the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

24.07.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

spp



W.P. No.7891 of 2015

To:

1. The General Manager,
Canara Bank, Human Resources Wing,
No.112, JC Road, Head Office,
Bangalore 560 002.
2. The General Manager,
Canara Bank, Human Resources Section,
Circle Office, TV Samy Road (West),
R.S.Puram, Coimbatore 641 002.
3. The Assistant General Manager,
Canara Bank, HRM Section,
Circle Office, TV Samy Road (West),
R.S.Puram, Coimbatore 641 002.
4. The Branch Manager,
Canara Bank, Pasur Branch,
Erode 638 154.
5. The Deputy Director,
Employment exchange office,
Chinimalai Road, Erode 638 002.



WEB COPY



W.P. No.7891 of 2015

MOHAMMED SHAFFIQ, J.

spp

W.P. No.7891 of 2015
and
M.P. Nos.1, 2 and 3 of 2015

24.07.2024