



W.P.(MD)No.16338 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.16338 of 2021

S.Karuppiah

: Petitioner

Vs.

1.The Chairman and Managing Director,
Indian Bank, Head Office,
No.254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai – 600 014.

2.The General Manager,
HRM,
HRM Department,
Head Office, Indian Bank,
No.254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai – 600 014.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to pay full pension with correct calculations of average basic pay, dearness allowance along with interest at the rate of 9% per annum.



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For Petitioner : Mr.G.Karthik
for M/s.T.Lajapathi Roy and Associates
For Respondents 1 & 2 : Mr.Suresh
for M/s.Aiyar and Dolia,
Standing Counsel for respondents

ORDER

This Writ Petition has been filed for a Writ of Mandamus seeking for a direction to the respondents to pay full pension.

2.According to the petitioner, only due to the fact that pursuant to a disciplinary proceedings initiated against him by the respondents, he was imposed with the punishment of compulsory retirement, the full pension payable to him was not paid by the respondents. According to him, he is legally entitled to get full pension and only under those circumstances he has filed this writ petition seeking for a Writ of Mandamus.

3.It is now brought to the notice of this Court by the learned Counsel for the petitioner that the punishment of compulsory retirement imposed on the petitioner was challenged by the petitioner through a separate writ petition which came to be dismissed by a learned Single Judge of this Court and aggrieved by the same, Writ Appeals have been filed by the petitioner which are pending before the Division Bench of this Court.



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4.No useful purpose would be served if this writ petition is kept pending in order to await the outcome of the decision to be rendered in the Writ Appeals filed by the petitioner challenging the punishment of imposition of compulsory retirement on the petitioner. This Court deems it fit to dispose of this writ petition by granting liberty to the petitioner to file a fresh writ petition for payment of full pension to him, in case if he succeeds in the Writ Appeals which are now pending before the Division Bench of this Court in W.A. (MD)Nos.1007 & 1008 of 2022.

5.For the foregoing reasons, this Writ Petition is disposed of, granting liberty to the petitioner to file a fresh writ petition in case the petitioner succeeds in W.A.(MD)Nos.1007 & 1008 of 2022, seeking for the payment of his full pension as sought for in this writ petition. There shall be no order as to costs.

06.08.2024

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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ABDUL QUDDHOSE, J.

MR

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