



W.P.No.15754 of 2015

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15754 of 2015

K.Ravindran (Deceased)

2.R.Pushpa

3.K.R.Yokendhran

4.R.Madan Prasad

... Petitioners

*(*P2 to P4 are substituted as legal heirs of the first petitioner, as per the order dated 21.12.2023 made in W.M.P.No.21011 of 2023 in W.P.No.15754 of 2015*)*

Vs.

1.The Central Government Industrial Tribunal
cum Labour Court,
Rep.by its Presiding Officer,
Shastri Bhavan,
Haddows Road,
Chennai-600 006.

2.The General Manager(HR),
State Bank of India,
LHO, 16, College Lane,
Chennai-600 006.



W.P.No.15754 of 2015

WEB COPY

3.The Assistant General Manager (Admn.),
State Bank of India,
Mc Donalds Road,
Tiruchirappalli-620 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the first respondent relating to the impugned award dated 21.01.2014 in I.D.No.56 of 2011 and quash the same and consequently, direct the second respondent to reinstate the petitioner with full backwages, continuity of service and all other attendant benefits.

For Petitioner : Mr.V.Stalin
for M/s.Row and Reddy

For Respondents : R1-Tribunal
Mr.Anand Gopalan
for M/s.T.S.Gopalan & Co for R2

ORDER

The Writ Petitioner/employee challenges the award dated 21.01.2014 passed in I.D.No.56 of 2011 and seeks a direction to the second respondent to reinstate the petitioner with full backwages, continuity of service and all other attendant benefits.



W.P.No.15754 of 2015

WEB COPY

2. The said Industrial Dispute was raised by the petitioner/employee against the order of dismissal passed against him on 22.01.2009. The petitioner was issued with a charge sheet containing three charges and on enquiry, charges were found to be proved, pursuant to which, he was dismissed from service. One witness was examined before the Industrial Tribunal and on either side, Exhibits were marked. The Tribunal, after considering oral and documentary evidence, came to a conclusion that even on according to the admission made by the petitioner in his cross-examination, he was the Cash Officer who had been processing the loan and for testing the quality of jewels. That apart, he had admitted in his cross-examination that as a Special Officer or Cash Officer, his responsibility was included for testing the quality of jewels. The Labour Court further discussed in detail about the enquiry conducted and the punishment imposed by the Management and came to a conclusion that there was no reason to interfere with the dismissal order passed against the petitioner Management and accordingly, the Industrial Dispute was dismissed. Challenging the same, the present writ petition has been filed.



W.P.No.15754 of 2015

WEB COPY

3. The learned counsel appearing for the petitioner reiterated the averments made in the affidavit filed in support of this writ petition.

4. The learned counsel appearing for the second respondent submits that the Tribunal has elaborately discussed the charges framed against the petitioner and the evidence submitted on behalf of both sides and has categorically come to a conclusion that the petitioner was found guilty of the charges and therefore, punishment imposed against the petitioner was just and proper and accordingly, dismissed the Industrial Dispute filed by the petitioner and therefore, there is no scope for interference of the said order. Therefore, the writ petition has to be dismissed.

5. This Court has carefully considered the submissions made by both sides and perused the materials available on record.



W.P.No.15754 of 2015

WEB COPY

6. Pursuant to the charge sheet issued to the petitioner, the enquiry was conducted and the charges levelled against the petitioner were proved. Thereafter, the petitioner was dismissed from service on 22.01.2009. The petitioner challenged the dismissal order before the Appellate Authority who concurred with the order passed by the Original Authority and dismissed the appeal filed by the petitioner. Challenging the said order in appeal, the petitioner filed I.D.No.56 of 2011 before the Labour Court and the Labour Court dismissed the Industrial Dispute filed by the petitioner.

7. It is seen that both the Appellate Authority as well as the Labour Court has gone into the oral and documentary evidence placed before the same, and came to a conclusion that the charges framed against the petitioner were proved and that during his cross-examination, he has categorically stated that his responsibility was also included for testing of quality of gold jewels. Therefore, it would be suffice to come to a



W.P.No.15754 of 2015

WEB COPY

conclusion that the charges framed against the petitioner were proved beyond reasonable doubt. Hence, this Court is unable to see any ground to interfere with the order passed by the Appellate Authority as well as the order passed by the first respondent/Labour Court.

8. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

13.03.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



W.P.No.15754 of 2015

WEB COPY

To

- 1.The Central Government Industrial Tribunal
cum Labour Court,
Rep.by its Presiding Officer,
Shastri Bhavan,
Haddows Road,
Chennai-600 006.
- 2.The General Manager(HR),
State Bank of India,
LHO, 16, College Lane,
Chennai-600 006.
- 3.The Assistant General Manager (Admn.),
State Bank of India,
Mc Donalds Road,
Tiruchirappalli-620 001.



WEB COPY



W.P.No.15754 of 2015

M.DHANDAPANI,J.

ssb

W.P.No.15754 of 2015

13.03.2025