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W.P.No.2290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2290 of 2024

1.Sujay Gopal Rao,
2.Chand Kumar L
3.Sampath Kumar C.K

.... Petitioners

Vs

1.Government of India,
rep. by its Under Secretary,
Ministry of Finance,
Banking Division,
Jeevan Deep, III Floor,
Parliament Street,
New Delhi.

2.The Reserve Bank of India,
rep. by its Executive Director,
New Central Office Building,
Shahid Bhagar Singh Rd, Fort,
Mumbai,
Maharashtra – 400 001.

1/11



W.P.No.2290 of 2024

WEB COPY

3. Indian Overseas Bank,
rep. by its Managing Director &
Chief Executive Officer,
Central Office,
No.763, Annasalai,
Chennai – 600 002.

4. The General Manager,
Human Resource Management Department,
Indian Overseas Bank, Central Office,
No.763, Annasalai,
Chennai – 600 002.

5. The Chief Manager,
Personnel Administration Department,
Indian Overseas Bank, Central Office,
Retirees Grievances Cell,
No.763, Annasalai,
Chennai – 600 002.

..... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to implement the approved terms of the Working Group of Standing Committee formed by Government of India (hereinafter referred as WGSC) and pay the petitioners the revised salary and perks as per WGSC with accumulated interest for the period of their overseas service/employment with the third



W.P.No.2290 of 2024

respondent's overseas branches.

For Petitioners : Mr.K.J.Parthasarathy
For R1 : Mrs.V.Sudha
Special Panel Counsel
For R2 : Mr.C.Mohan
Assisted by Ms.A.Rexy Josephine mary
for M/s.King and Partridge
For R3 to R5 : Mr.K.K.Sivashanmugam

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to implement the approved terms of the Working Group of Standing Committee formed by Government of India and to pay the petitioners revised salary along with interest.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3/11



W.P.No.2290 of 2024

WEB COPY

3.The petitioners had joined the services of the third respondent under various cadres. The third respondent operates branches in overseas nations. The first petitioner was posted in Hongkong, the second petitioner was posted in Malaysia and the third petitioner was posted in Bangkok in the overseas branches of the third respondent. The third respondent is a signatory to the Working Group of Standing Committee (hereinafter referred to as “WGSC”) by which the revision in pay scale/salary/perks of the overseas officers of the Public Sector Banks working in overseas branches is determined year after year.

4.As per the terms of the guidelines of Ministry of Finance dated 04.11.2011, the salary of the overseas employees shall be fixed by the Standing Committee of the WGSC. However, the third respondent has not revised the salary of its overseas officers after 2014, citing the Prompt



W.P.No.2290 of 2024

Corrective Action imposed by Reserve Bank of India. The third respondent,

being a signatory and accepting the WGSC guidelines, has discriminated against the petitioners without any reason. In terms of the circular dated 02.01.2020 issued by the third respondent, the first petitioner submitted a representation for revision of salary and payment of arrears. Thereafter, he retired from service on 31.05.2021. The second petitioner retired from service on 30.09.2023 and the third petitioner retired from service on 16.12.2022. All of them have submitted representations, but no action has been taken. In fact, other Public Sector Banks, which are also signatories to the WGSC, have implemented and revised the salary of all their overseas employees.

5.A perusal of the counter filed by the respondents 3 to 5 as well as the submissions made by the learned counsel appearing for them, reveals that the petitioners, who were aware of the Prompt Corrective Action



W.P.No.2290 of 2024

imposed by the Reserve Bank of India and which was in force till

29.09.2021, cannot claim revision of salary for overseas officers as a matter

of right. The service conditions of the selected officers for overseas postings

are guided by the letter of undertaking executed by them prior to proceeding

to their respective overseas branches, along with the applicable Regulations,

Rules, Guidelines, etc. The Government of Tamil Nadu has formed the

WGSC to adopt uniform guidelines regarding salary and service terms

applicable to India-based officers posted abroad.

6.As per the guidelines issued by the Ministry of Finance, the

recommendations of WGSC are to be implemented by the banks with the

consent of their respective Boards. In the present case, the Board has not

consented to the implementation of the said recommendations. That apart,

after having been retired from service on attaining the age of

superannuation, the petitioners cannot now seek implementation of the

approval terms of WGSC in respect of their salary and pension. A Writ of



W.P.No.2290 of 2024

Mandamus can be issued only to enforce an existing legal right. Therefore,

when the petitioners are not vested with any legally enforceable right to claim salary as per the recommendations of the WGSC, that too with retrospective effect, the relief sought for cannot be granted.

7.In view of the above, the direction sought for in this writ petition cannot be considered. Thus, the writ petition lacks merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

27.10.2025

Neutral citation :Yes/No

Index:Yes/No

Speaking/Non speaking

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To

1.The Under Secretary,
Government of India,
Ministry of Finance,

7/11



W.P.No.2290 of 2024

Banking Division,
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New Delhi.

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WEB COPY



W.P.No.2290 of 2024

G.K.ILANTHIRAIYAN, J.

Lpp



WEB COPY



W.P.No.2290 of 2024

W.P.No.2290 of 2024



WEB COPY



W.P.No.2290 of 2024

27.10.2025