



WEB COPY

W.A.No. 1486 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.A.No. 1486 of 2025

and

C.M.P.No. 11427 of 2025

1.The Deputy General Manager (B&O),
Chennai Zone - I, Disciplinary Authority,
State Bank of India,
Disciplinary Proceedings Cell,
Administrative Office, 86, Rajaji Salai,
Chennai - 600 001.

2.The General Manager, Appointing Authority,
State Bank of India, Local Head Office,
Circle Top House, Aparna Complex,
No: 16 College Lane,
Chennai - 600 006.

3.The Chief General Manager,
Appellate Authority, State Bank of India,
Local Head Office, Circle Top House,
Aparna Complex, No:16 College Lane,
Chennai - 600 006.

...Appellants

Vs.

B.Lakshmikanth

... Respondent



Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 30.10.2024 made in W.P.No. 5467 of 2021.

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For Appellants : Mr.Ranjish Pathiyil

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

Challenge is to the order of the writ Court dated 30.10.2024, in and by which, the writ Court had interfered with the punishment of dismissal from service imposed on the respondent on the ground that the punishment is clearly and shockingly disproportionate to the proved misconduct.

2. The respondent, who was appointed as Officer, Marketing & Recovery in a Bank in 2007 was visited with at least nine charges in the year 2013. After prolonged enquiry in the year 2018, the Bank passed an order of dismissal from service which was confirmed by the appellant and revisional authorities. This led to the challenge by way of a writ petition.

3. The writ Court had gone into each and every one of the charges and



had found that the findings of the Enquiry Officer on most of the charges are perverse. With regard to proved charges namely, unruly behaviour on a particular date, the writ Court had found that there was some justification, even though the respondent ought not to have behaved in such fashion. A justification was culled out from the fact that the respondent, who was appointed initially in the year 2007 was subjected to **3** transfers within a period of six years between 2007 and 2013. This kind of oppression by the Management is unheard of. The writ Court took into account the said conduct of the Management in transferring the respondent frequently and concluded that the behaviour on 31.03.2013 was out of frustration and that amounted to a justifiable cause. Therefore, the writ Court concluded that the punishment of dismissal from service is too onerous and remitted the matter to the Bank for re-consideration of the quantum of punishment.

4. Mr.Rajnish Pathiyil, learned counsel for the appellant / Bank would vehemently contend that the jurisdiction of the Court to interfere with the quantum of punishment is very limited and it can be done only when the Court comes to the conclusion that the punishment is shockingly disproportionate to the proved misconduct. We have gone through the



reasonings of the learned single Judge and we have also extracted his reasonings.

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5. We find that the reasonings clearly support the conclusions of the learned single Judge on the quantum of punishment. Any human being, who is subjected to transfer twice in one year would get frustrated and that frustration is let out in some form or the other. That by itself cannot be made a ground for dismissal from service. Hence, we see no reason to interfere with the order of the learned single Judge. This Writ Appeal therefore, fails and it is accordingly, **dismissed**. No costs. Consequently, connected miscellaneous petition is closed. Time for compliance with the order of the learned single Judge is extended by twelve weeks from the date of receipt of a copy of this order in this appeal.

(R.S.M., J.) (K.G.T., J.)
13.06.2025

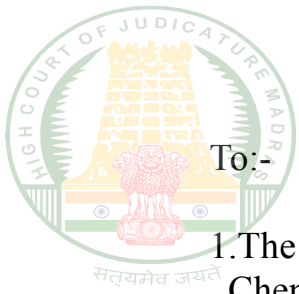
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Index: No

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Neutral Citation : No



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