IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 30.10.2025

PRONOUNCED ON : 07.11.2025

CORAM:

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

W.P.No.18918 of 2025
and
W.M.P.No.21197 of 2025

K.Kasinathan ... Petitioner

Vs.

1. Indian Bank
   Represented by its Chairman and MD
   254-260, Avvai Shanmugam Salai,
   Royapettah, Chennai – 600014.

2. The Chief Manager,
   HRM Pension Section,
   Indian Bank,
   254-260, Avvai Shanmugam Salai,
   Royapettah, Chennai – 600014.

3. The General Manager,
   HRM/HD/HR STRATEGY
   254-260, Avvai Shanmugam Salai,
   Royapettah, Chennai – 600014.

4. The Secretary,
   Ministry of Finance,
   Govt of India,
   New Delhi – 110001. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order issued by the second respondent dated 19th June 2024 and quash the same and consequently direct the respondents to provide pension to the petitioner as approved the Board of Directors of the respondent Bank and further approved by the Ministry of Finance, Government of India, New Delhi, as sought by the petitioner's letter dated 18th June 2024.

For Petitioner : Mr.K.Kasinathan
(Party-in-Person)

For Respondents : Mrs.Rita Chandrasekar
for M/s.Aiyar & Dolia (for R1 to R3)

ORDER

The Writ Petition has been filed challenging the order passed by the second respondent dated 19.06.2024, thereby rejecting the request made by the petitioner seeking to consider the petitioner under the Pension Scheme.

2. Heard both sides and perused the materials available on record.

3. The petitioner had joined in the respondent Bank on 26.12.1977. Subsequently, he was promoted to the Officer cadre. While being so, he resigned from service on 19.02.1995 after completion of 17 years, 1 month and 24 days of service. In the year 2000, the first to third respondents had announced that whoever opted for Voluntary Retirement Scheme after completing a minimum of 15 years of service or reached the age of 40 were to be given benefits such as pension, commutation pension, and ex-gratia at the rate of 2 months salary for every completed year of service. Thereafter, they also introduced the second opportunity to join the Pension Scheme in 2010 to those who were missed out in the year 1995.

4. While being so, on 09.05.2024, the respondent Bank had offered pension to the resignees on the following four conditions and the same has been confirmed by the Board of Directors of the Bank and the Ministry of Finance, Government of India. Accordingly, the employees who were in the service of bank on or after 01.01.1986; the who employees who had joined the Bank before 01.04.2010; the employees who have resigned from the Bank on or before 26.04.2010; and those

were otherwise eligible to join the Pension Scheme while in service. Therefore, the petitioner requested to join in the Pension Scheme. However, the said request was rejected on the ground that the petitioner did not complete 20 years of service.

5. The petitioner submits that he comes under the Scheme of Pension for resignees, which was approved by the Board of Directors of the Bank and the Government of India. The Regulation 28 Proviso 2 of the Indian Bank (Employees') Pension Regulations, 1995, states that the employees who ceased to be in service on or before 29.09.1995, on account of voluntary retirement after rendering service for a minimum period of 15 years are entitled to such benefits out of the scheme. The petitioner also cited several judgements of this Court and the Hon'ble Supreme Court of India. Even according to the Bipartite Settlement, it is not a condition that the petitioner shall complete 20 years of service to become eligible under the Pension Scheme.

6. On perusal of the counter-affidavit filed by the first to third respondents and the submission made by the learned counsel for the first to third respondents, it reveals that the petitioner had resigned from his

post after the completion of 17 years, 1 month and 24 days of service. His resignation was accepted and he ceased to be in service. At the time of his resignation, he had neither exercised an option nor was eligible for the Pension Scheme notified by the respondent Bank on 29.09.1995.

7. Further, in pursuance of the signing of the 12th Bipartite Settlement with the Workmen's Unions and 9th Joint Note dated 08.03.2024, a provision was introduced to include a new class of beneficiaries i.e resigned former employees. Accordingly, the employee must have been in service on or after 01.01.1986; the employee must have joined before 01.04.2010; the employee must have resigned on or before 26.04.2010; the employee must have been otherwise eligible to join the Pension Scheme while in service and the employee must have completed 20 years of qualifying service. Thereafter, a circular was issued on 09.05.2024 extending an option of pension to the resignees, who were otherwise eligible to join the Pension Scheme under the Banks Employees Pension Regulations, 1995.

8. Thus, it is clear that as per the 12 Bipartite Settlement/9th Joint Note dated 08.03.2024, the pension benefit extends to the resigned former employees only on condition that they have completed 20 years of qualifying service. Therefore, the request made by the petitioner was rightly rejected and the judgements cited by the petitioner are not helpful to the case on hand. Further, it is settled law that the pension is a matter of policy governed by applicable service regulations and cannot be claimed as a matter of right, unless the conditions specified therein are strictly satisfied.

9. In view of the above, this Court finds no infirmity or illegality in the order passed by the second respondent. Therefore, this Writ Petition itself is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is dismissed. No costs.

07.11.2025

Index : Yes
Neutral citation : Yes
Speaking/non-speaking order
kv

To

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G.K.ILANTHIRAIYAN. J,

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Pre-Delivery order made in
W.P.No.18918 of 2025

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