



W.P.No.33196 of 2014

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.33196 of 2014

Jang Bahadur Chaudhry

...

Petitioner

Vs

Indian Overseas Bank,
rep. by its Chairman and Managing Director,
763, Anna Salai,
Chennai 600 002.

...

Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the directing the respondent Bank to accept the option letter furnished by the petitioner in accordance with Annexure I given in Annexure to Circular bearing MISC.No. EST/62/2010-11, dated 30.08.2010, of the respondent Bank and consequently refund to him the excess collected from him with interest.

For Petitioner : Mr.S.Saravanakumar

For Respondent : Mr.S.Rajeni Ramadoss

ORDER

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The claim of the petitioner is for consideration of his case for payment of pension in terms of Annexure-I of the proceedings bearing MISC.No.EST/62/2010-11, dated 30.08.2010, issued by the respondent Bank, extending the option to its employees to join the existing pension scheme in terms of 9th Bipartite Settlement, dated 27.04.2010.

2. A perusal of Annexure-I discloses that the same would be applicable to the employees, who were in service of the Bank as on 30th August,2010.

3. The petitioner had, admittedly, attained the age of superannuation on 31.10.2009 and he was also permitted to retire, however, subject to disciplinary proceedings that were pending against him. In other words, in terms of Regulation 20 (3) (iii) of the Indian Overseas Bank Officers Service Regulations 1979, an employee, who attains the age of superannuation, will cease to be in service except for the purpose of continuation to conclude all the disciplinary proceedings that are pending as on the date of superannuation.

4. The contention of the learned counsel for the petitioner that in view of the fact that the disciplinary proceedings are pending as against the



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petitioner as on 31.10.2009 the petitioner shall be deemed to be in service and eligible for exercising the option in terms of Annexure 1 of the proceedings dated 30.08.2010 cannot be accepted. Regulation 20 (3) (iii) of the Regulations, 1979, is very clear in its language and the continuance in service during pendency of disciplinary proceedings is only for the purpose of concluding the disciplinary proceedings. Therefore, continuance of the petitioner in terms of Regulation 20 (3) (iii) of the Regulations 1979, will not enure to the benefit of the petitioner to enable him to exercise the option in terms of Annexure-I of the proceedings, dated 30.08.2010.

5. In the said circumstances, this Court does not find any merit in the Writ Petition and it is, accordingly, dismissed. No costs.

26.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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rep. by its Chairman and Managing Director,

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MUMMINENI SUDHEER KUMAR, J.



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