



WEB COPY



W.A.No.2246 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE K.SURENDER**

**W.A.No.2246 of 2025
and
C.M.P.No.17219 of 2025**

The Chief Manager (HRM Department),
Indian Bank, Head Office,
66, Rajaji Salai,
Chennai.

... Appellant

Vs.

K.S.Mohanraj

... Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 12.03.2024 made in W.P.No.3792 of 2011.

For Appellant : Mrs.Rita Chandrasekar
for M/s.Aiyar and Dolia
For Respondent : Mr.V.Vijayashankar



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J U D G M E N T

WEB COPY (Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

We do not find any reason to interfere with the order of the learned Single Judge. Admittedly, the respondent was appointed in the Bank as a Clerk on 07.04.1986 under the scheduled tribe quota. On the basis of the memorandum issued by the Ministry of Finance of the Government of India dated 12th September 1990 the respondent sought for moving to general category. This request was made on 16.10.2009. Since the application was not considered, the respondent along with two other employees filed a Writ Petition in W.P.No.22546 of 2010 seeking a Mandamus for consideration of the request made. This court issued a mandamus as prayed for. Upon consideration the request was rejected vide order dated 31.12.2010, which led to the filing of the Writ Petition by the respondent seeking a Certiorarified Mandamus. The learned Single Judge had allowed the Writ Petition on the ground that an employee cannot be kept in a temporary position for 38 years. Aggrieved the Bank is on appeal.



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2. Mrs.Rita Chandrasekar, learned counsel appearing for the Bank

would vehemently contend that unless the Authorities verify the certificate and its genuineness is proved, the Bank cannot be compelled to confirm the services of the employee. She would also contend that it is not within the powers of the Bank to have the certificate verified. According to her, the Bank has written several letters to the Scrutiny Committee constituted under the verification scheme.

3. We are unable to agree. The respondent was admittedly appointed in the year 1986. The Bank did not deem it fit to verify the genuineness of the certificate till 2009, only after the employee wanted to take advantage of the Official Memorandum issued by the Ministry of Finance in the year 1990 and made an application in 2009, the Bank thought it fit to refer the certificate for verification. We have been informed that the employee has now attained superannuation. No heavenly purpose would be served by having the certificate verified at this juncture. The appointment order issued to the petitioner very clearly states that the probation will be only for six months and if it is extended, it can be extended for another



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period of three months. Even though the appointment order states that the appointment will be subject to verification of the certificate, the same should be done immediately, it cannot be done after the employee puts in 23 years of service in the Bank.

4. Hence, this Writ Appeal fails and it is accordingly **dismissed**.

No costs. Consequently, the connected miscellaneous petition is closed.

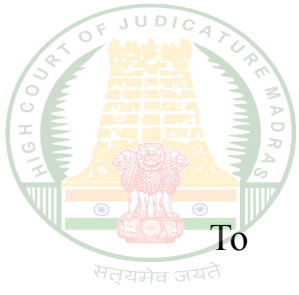
(R.S.M.,J.) (K.S.,J.)
18.07.2025

dsa

Index : No

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Speaking order



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To

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and
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