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W.P.Nos.506 & 508 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

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THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.Nos.506 & 508 of 2025

M.Kanagarajan
S/o.K.Muthu Reddy

...Petitioner
in W.P.No.506 of 2025

R.Murugavalli
D/o.Rajagopal

...Petitioner
in W.P.No.508 of 2025

Vs

The Bank of Baroda
Rep. by its Regional Head
(Chennai Rural Region)
Regional Office (Chennai)
HRM Department
No.123, Dugar Towers
RL Road, Egmore,
Chennai-600 008.

...Respondent
in W.P.No.506 of 2025

1. The Bank of Baroda
Rep. by its General Manager
Zonal Office, 2nd and 3rd Floor
Baroda Pride, New No.41, Luz Church Road
Mylapore, Chennai.



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2. The Bank of Baroda
Rep. by its Deputy Regional Manager
Regional Office (Coimbatore)
82, Bank Road, Coimbatore - 641 018.

... Respondents
in W.P.No.508 of 2025

Writ Petition No.506 of 2025 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to disburse the petitioner terminal / retirement benefits and other attended benefits with reasonable interest.

Writ Petition No.508 of 2025 filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to disburse the petitioner terminal / retirement benefits and other attended benefits with reasonable interest.

For Petitioner in both WPs : Mr.Yogesh Kannadasan

For Respondent in both WPs : Mrs.Revathi Manivannan

COMMON ORDER

[Order of the Court was made by **R.SUBRAMANIAN, J.,**]

The petitioners, who were favoured with certificates certifying that they belong to Hindu Konda Reddy, a Scheduled Tribe Community, secured appointment with the respondent Bank on 18.01.1984 and 01.09.1989.

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While the petitioner in W.P.No.506 of 2025 retired upon attaining superannuation on 31.05.2021 and the petitioner in W.P.No.508 of 2025 retired upon attaining superannuation on 31.07.2024. The Bank had not paid the retiral benefits on the ground that a contemplated enquiry regarding the communal status of petitioners is pending.

2. The petitioners seek a direction to the Bank to disburse the retiral benefits, since no enquiry has been launched by the State Level Scrutiny Committee, which is the authority to conduct enquiry.

3. The Bank has filed a counter, wherein it is stated that the Bank has been pursuing enquiry and has been consistently reminding the State Level Scrutiny Committee for conduct of verification. It is also brought to our notice that a Hon'ble Division Bench of this Court has passed an order directing verification of certificate of petitioner in W.P.No.506 of 2025.

4. We have perused the said order. We find that it has been passed in the admission stage. Though the petitioner in W.P.No.506 of 2025 was made a party to proceedings, no one has represented him. The said order has been, probably, passed in the admission stage without notice to petitioner in W.P.No.506 of 2025 on the basis of assurance given by learned



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Special Government Pleader, who appeared for the State Level Scrutiny Committee. As regards the petitioner in W.P.No.508 of 2025, we find that her certificate was cancelled by three member District Level Committee and the said cancellation was on 24.02.2007. The said cancellation was set aside by Hon'ble Division Bench of this Court in W.P.No.11999 of 2007 dated 27.01.2011. Thereafter, no further enquiry has happened. Both the petitioners have retired. The Bank has withheld the retiral benefits without any just cause citing the pendency of the so called enquiry.

5. This Court and Hon'ble Supreme Court have repeatedly held that an enquiry after retirement is only academic and the same cannot be pursued. We have also after referring to our order dated 22.01.2025 in W.P.No.106 of 2025 and a judgment of Hon'ble Supreme Court dated 03.03.2023 in SLP(C)No.24458 of 2019 held that verification of certificate after retirement could only be academic and cannot deprive the employee's retiral benefits or pension.

6. It is useful to refer to judgment of Hon'ble Supreme Court in ***R.Sundaram Vs. The Tamil Nadu State Level Scrutiny Committee and Others*** reported in ***MANU/SC/0253/2023*** which is relied upon by the



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learned counsel for the Bank, which also takes note of the delay and finally concludes that the appellant therein would be entitled to post retiral benefits with 6% interest.

7. In view of the same, both these writ petitions will stand allowed. There will be mandamus to the Bank to disburse the retiral benefits to both petitioners. The petitioners will be paid retiral benefits within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

[R.S.M,J.] [C.K.,J.]
31.01.2025

Index : No
Neutral Citation : No
Speaking order

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