



W.P.(MD).No.8887 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.08.2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD).No.8887 of 2019

G.Manoharan

... Petitioner

Vs.

- 1.The State Bank of India,
Rep. by the Chief General Manager,
Local Head Office,
No.16, College Road,
Chennai – 600 006.
- 2.The Deputy General Manager (B&O),
Appellate Authority,
State Bank of India,
Disciplinary Proceedings Cell,
Administrative Office, Tiruchirappalli Zone,
Mc.Donalds Road, Tiruchirappalli - 620 001.
- 3.The Regional Manager,
Region II,
State Bank of India,
Regional Business Office,
R.M. Hospital Road,
Thanjavur - 613 001.
- 4.Regional Manager,
Region V,
State Bank of India,
Regional Business Office,
Nagapattinam - 611 011.



W.P.(MD).No.8887 of 2019

5. The Branch Manager,
State Bank of India,
Vilamal Branch,
Thiruvavarur District - 610 703.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 to 4 herein to fix the petitioner's scale of pay appropriately in terms of the award passed by the 2nd respondent herein in RM II-12-3514 dated 31.10.2014 i.e., to fix the petitioner's basic pay at Rs.24,675/- from December, 2014 in Stage No.15, Rs.25,820/- from December, 2015 in Stage No.16, Rs.26,965/- from December, 2016 in Stage No. 17, Rs.28,110/- from December 2017 in Stage No.18, and Rs.30,230/- from December, 2018 in Stage No.19 and to pay the arrears of wages within the time frame that may be stipulated by this Court.

For Petitioner : Mr.R.J.Karthik

For R-1 : Mr.Ananth C.Rajesh

For R-5 : Mr.S.Sethuraman

ORDER

This Writ Petition is filed for Mandamus to direct the respondents 2 to 4 to fix the petitioner's scale of pay appropriately in terms of the award passed by the second respondent dated 31.10.2014 and to pay arrears of wages.



W.P.(MD).No.8887 of 2019

2. The petitioner is the employee of the respondent Bank. While serving as a Clerk at Nannilam Branch, he was charged for misconduct and subsequently, he was held guilty and he suffered punishment. The punishment was challenged by way of appeal and the appeal was also rejected by order dated 28.03.2015. The grievance of the petitioner is that though the punishment has reached finality, by wrong interpretation of the punishment, he has been kept in the same pay stage till December 2018 without any annual increments. He further submitted that a Bipartite Settlement has also been reached in this regard and maximum period of pay reduction could only be done for two years. The learned counsel also submitted that the petitioner has now retired and even after the currency of punishment period is over, he was continued to be paid in the very same pay scale. Hence, the petitioner has sent a representation dated 17.12.2018 to revise the basic pay and the same has not yet been considered.

3. Per contra, the learned counsel representing the Bank submitted that the petitioner has misinterpreted the punishment and contended that he shall not be reduced to one stage. He further submits that the petitioner's claim of placing him above one stage, i.e., from Stage 14 to 15 is not proper and prays to dismiss the Writ Petition.



W.P.(MD).No.8887 of 2019

4. I have considered the submissions made on both sides and also perused the records.

5. Admittedly, the petitioner herein has suffered the following punishment:

“Bringing down to one stage to lower stage in the time scale of pay upto Six (06) years in terms of Clause No.6(e) of the Memorandum of Settlement dated 10.04.2002.”

The petitioner now relies on the Bipartite Settlement dated 11.11.2020, wherein, Clause 45 states that there is a modification of the Bipartite Settlement dated 10.04.2002. As per the modification, the maximum period of reduction of stages has been modified to two years. However, a specific cut off date has been given for the purpose of applying this provision, which reads as follows:

“45. Disciplinary Action and procedure thereof:

In partial modification of Bipartite Settlement dated 10th April, 2002, the following modifications shall be incorporated therein and shall be effective from 1st November, 2020.”

Since this Bipartite Settlement dated 11.11.2020 is effective with effect from 01.11.2020, the same could not be applicable to the petitioner's case since he had suffered punishment in the year 2014.



W.P.(MD).No.8887 of 2019

6. The next contention of the petitioner is that he has been wrongly reduced to Stage 14, whereas, on perusal of the statement of existing and revised pay scales, at the time of suffering a punishment, he was in the stage of 15, i.e., Rs.15,100/- revised as Rs.24,675/-. As per the punishment, he was reduced one stage below, i.e., to the stage of 14, wherein, existing pay was Rs.14,400/- revised as Rs.23,530/-. According to the petitioner, though he had suffered punishment in the month of November 2014, he is entitled for increment in the month of December 2014 and accordingly, he would move on from stage 15 to stage 16 and reduction means he must be retained in the Stage 15 itself.

7. I am unable to subscribe this argument, since at the time of punishment, the petitioner was in the stage of 15. In the punishment, it is clearly stated that he has to be brought down to one stage below his present pay stage. Accordingly, his pay would be brought down to stage 14 and he would be given pay in the said stage throughout the currency period. Hence, this ground is also not acceptable and this Court finds no merits in the Writ Petition.



W.P.(MD).No.8887 of 2019

8. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

07.08.2025

NCC : Yes / No
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W.P.(MD).No.8887 of 2019

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W.P.(MD).No.8887 of 2019

07.08.2025