



W.P.No.22601 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.22601 of 2012

and

MP.No.1 of 2012

S.Krishnamoorthy

...Petitioner

Vs.

1.The Managing Director
S.B.I.Life Insurance Co.Ltd.,
“Natraj” M.V.Road
Western Express Highway Junction
Andheri (East)
Mumbai 400 069.

2.The Associate Vice-President (HR)
S.B.I.Life Insurance Co. Ltd
“Natraj” M.V.Road
Western Express Highway Junction
Andheri (East)
Mumbai 400 069.

3.The Regional Manager (HR)
S.B.I.Life Insurance Co.Ltd.,
State Bank Learning Centre 3 Floor
20, Pycrafts Garden Road
Nungambakkam
Chennai 600 006.

...Respondents



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Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records from the second respondent relating to the order dated 06.06.2012 read with the order dated 20.04.2012 and the order of the third respondent dated 18.02.2012 terminating the services of the petitioner and quash the said order and direct the respondents to reinstate the petitioner with continuity of service and backwages and other attendant benefits and award cost.

For Petitioner : Ms.G.Kannagi
for Mr.S.Ayyathurai

For Respondents : Mrs.Kamatchi.D

ORDER

The challenge in this writ petition is to the orders dated 18.02.2012 and 20.04.2012 passed by the respondent. By the said orders, the services of the petitioner, while working as Assistant Branch Sales Manager, were terminated, and the petitioner's request to permit him to continue in the services of the respondent Bank came to be rejected.



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2. While working in the said post, the petitioner submitted a letter dated 02.01.2012 to the Branch Manager, SBI Life Insurance Co. Ltd., Mylapore Branch, Chennai, stating that he wished to resign on account of family problems. The said letter was accepted by the respondent, and thereafter the petitioner did not continue to work in the said post. However, on 20.01.2012, the petitioner submitted a further communication expressing his willingness to prove his potential and assuring that he would bring ten more advisers to his team. Another communication dated 17.02.2012 was also submitted by the petitioner requesting the respondents to permit him to continue to work in the said post.

3. The respondent, in turn, issued a communication dated 18.02.2012 stating that the resignation letter dated 02.01.2012 had been processed and accepted by the competent authority and that, accordingly, the petitioner had been relieved from service with effect from 02.01.2012. The petitioner thereafter submitted another representation dated 02.03.2012 stating that he was compelled to tender his resignation, as higher officials sought to victimize him in order to favour another person.



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4. However, the said representation was not considered, and a further communication dated 20.04.2012 was issued to the petitioner calling upon him to pay a sum of Rs. 6,600/- towards full and final settlement. Taking exception to the same, the present writ petition has been filed.

5. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

6. The petitioner admits to having submitted the letter dated 02.01.2012 addressed to the Branch Manager, stating that he resigned from service on account of family problems. The said letter was accepted, and thereafter the petitioner did not report for duty. Subsequently, the petitioner submitted a representation stating that the resignation letter had been tendered on account of undue coercion by the higher officials of the respondent. However, the petitioner has not averred in the writ petition as to how the acceptance of the resignation was contrary to any statutory provisions governing his service conditions, particularly with respect to voluntary resignation.



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7. Except for the bald assertion that the resignation letter was tendered on account of undue coercion, there is no specific allegation as to how and in what manner the petitioner was compelled or induced to submit the resignation letter.

8. In the counter affidavit, the respondent has stated that the Central Government holds 59.41% of the issued equity shares in SBI, and that SBI, in turn, holds only 74% of the shares in SBI Life Insurance Co. Ltd., whereby even the indirect holding of the Central Government in the equity share capital of SBI Life is less than 50%.

9. SBI Life Insurance Co. Ltd. is not treated as a public sector undertaking and, therefore, does not fall within the definition of “State” under Article 12 of the Constitution of India. Be that as it may, without going into the question as to whether the respondent falls within the definition of “State” under Article 12 of the Constitution of India, in the absence of any statutory violation in accepting the resignation of the petitioner, the challenge to the orders passed by the respondent refusing to permit the petitioner to continue in the said post does not warrant any interference. In the absence of any illegality in the



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impugned orders, the writ petition is devoid of merits and is liable to be dismissed.

10. Accordingly, the Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

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Index : Yes/No
Speaking order : Yes/No
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HEMANT CHANDANGOUDAR.J.,

dna

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