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CRP No. 6335 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

CRP No. 6335 of 2025

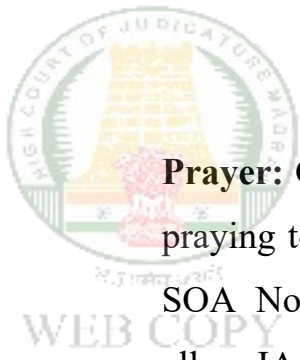
Mothilal Subramani
S/o.Subramani, Formerly working as Supervisor,
Prime Banking, Currently as Relationship
Manager,
No.24, 1st Floor, Block A1,
Munci Colony, Naryanapuram,
Pallikaranai, Chennai-600100

..Petitioner

Vs

1. Internal Committee
(ICC Constituted under the POSH Act, 2013),
HDFC Bank Ltd.
Phase 3, Spenser Plaza, 7th Floor, No.768-769,
Anna Salai, Chennai-600002
2. HDFC Bank Limited
Having Branch office at HDFC Ltd. 5th Floor,
Prime Unit, Commerzone IT Park, Tower B,
Mount Poonamallee Road, Porur,
Chennai-600116
having its Registered office at
HDFC Bank House, Senapati Bapat Marg,
Lower Parel (West), Mumbai-400013
3. Shruthi Sathyaraj
Working as Tele sales Officer-Business
Enhancement Unit, HDFC Bank Limited, 3rd
Floor, BEU Chennai, Commerzome IT Park,
Tower B, Mount Poonamallee Road,
Chennai-600116

..Respondent(s)



Prayer: Civil Revision Petition filed under Art.227 of the Constitution of India praying to set aside the order dated. 23.07.2025 passed in IA No.1 of 2025 in SOA No.1/2025 by the Principal Labour Court, Chennai and consequently allow IA No.1/2025 in SOA No.1/2025 on the file of Principal Labour Court, Chennai.

For Petitioner : Mr.E.Hariharan

For Respondent : Mr.C.Mohan &
Mrs.A.Rexy Josephine Mary
for M/s.King & Patridge
for R1 and R2
R3- No Appearance

ORDER

This Civil Revision Petition is filed challenging the order passed by Principal Labour Court, Chennai dated 23.07.2025 in dismissing the IA No.1 of 2025 in SOA No.1/2025 seeking to grant an order of interim stay against the operations of the recommendations (2) and (4) of the 1st respondent vide his report dated 24.09.2024.

2. The facts of the case leading to filing of the present Civil Revision Petition is as follows:

(i) The petitioner herein was working as a Prime Banking Supervisor at Porur, Chennai in the 2nd respondent Bank. On the basis of the complaint alleging sexual harassment at workplace lodged by the 3rd respondent herein,



who was the co employee of the petitioner, the petitioner was suspended from service on 28.06.2024.

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(ii) On conducting a detailed enquiry the 1st respondent/Internal Complaint Committee which was constituted by the 2nd respondent Bank under the POSH Act, 2013, vide order dated 24.09.2024, had made the following recommendations:

(1) To take necessary action against the complainant for filing a false complaint.

(2) To probe and take necessary disciplinary action against the complainant and respondent for engaging in cash transactions and for violation of code of the company.

(3) To revoke the suspension of the respondent with immediate effect and pay his salary for the period of suspension

(4) To ensure conducive environment both employees should be transferred to different vertical/location.

(iii) Pursuant to recommendation No.3, the the petitioner's suspension was revoked on 30.10.2024 and he was made to join duty in another branch of the 2nd respondent on 10.11.2024.

(iv) Challenging the recommendations 2 and 4 dated 24.09.2024 passed by the 1st respondent, vide his ICC Report, the petitioner filed appeal in SOA.No.1 of 2025 under section 18 of the POSH Act, 2013, r/w.Rule 11 of the POSH Rules 2013 before the Principal Labour Court, Chennai stating that Recommendations (2) and (4) essentially stems out mainly from the complaint purportedly preferred by the 3rd respondent u/s.9 of Sexual Harassment of



Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 as illegal, erroneous, unjust , as it is beyond the legal limits of its power.

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(v) In the abovesaid SOA, the petitioner filed I.A.No.1 of 2025 seeking to grant an order of interim stay against the operations of the recommendations (2) and (4) of the report dated 24.09.2024 passed by the 1st respondent pending disposal the SOA.

(vi) The learned Principal Labour court, Chennai dismissed the stay application. Against such dismissal, the present Civil Revision Petition is filed.

3. Learned counsel appearing for the petitioner would submit that the petitioner was working as a Prime Banking Supervisor in the 2nd respondent Bank. The 3rd respondent, who is the co employee of the petitioner working in the same Bank lodged a complaint as against the petitioner alleging sexual harassment at workplace , for which, the 1st respondent, after conducting an enquiry, submitted a report dated 24.09.2024, containing certain recommendations. Challenging the recommendations (2) and (4), contained in the report dated 24.09.2024, the petitioner preferred SOA.No.1 of 2025 before the Principal Labour Court, Chennai. In SOA.No.1 of 2025, the petitioner filed I.A.No.1 of 2025, as against the recommendations (2) and (4). By recommendation No.2, the 1st respondent/Internal Complaint Committee has recommended to initiate necessary disciplinary action against the petitioner



and the 3rd respondent for engaging in cash transactions and by recommendation No.4 , the Committee recommended to transfer the petitioner as well as the 3rd respondent to different vertical/locations.

4. He would further submit that the petitioner has no grievance with regard to the recommendation No.4 recommending the petitioner being transferred to some other place and in fact, the petitioner has already joined the Branch to which he was transferred. However, the grievance of the petitioner is only with regard to the recommendation No.(2) regarding initiation of disciplinary action as against the petitioner. It is the contention of the petitioner that if such recommendation No.2 is allowed to continue, it may amount to imposition of punishment and if any punishment is imposed, then the SOA would have become infructuous. Hence, he filed a petition in I.A.No.1 of 2025 seeking stay before the Labour Court, however the Labour Court mechanically rejected the petitioner's stay application which is not sustainable one. Accordingly, he prayed for allowing the present Civil Revision Petition and prayed for issuing suitable direction.

5. Learned counsel appearing for the respondents 1 and 2/Bank would submit that this Court may issue a direction to the Labour Court to dispose the main SOA itself within a period of six months from the date of receipt of a copy of this order.



6. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 and 2/Bank and perused the materials available on record.

7. The facts of the present case are not in dispute. Admittedly by rendering any opinion on merits of the issue, it will affect the interest of the petitioner as well as the complainant/3rd respondent before the 2nd respondent/Bank. However, if the disciplinary proceedings initiated against the petitioner is allowed to be concluded pending SOA, it will adversely affect the interest of the petitioner in the SOA and on that sole ground, the recommendation No.2 made by the 1st respondent to initiate disciplinary action against the petitioner is hereby stayed till the disposal of the SOA 1 of 2025. Accordingly the order passed by the Principal Labour Court, Chennai is modified to the above extent.

8. The Principal Labour Court, Chennai is directed to dispose of the SOA.No.1 of 2025 pending on its file within a period of six months from the date of receipt of a copy of this order.



9. The Civil Revision Petition is disposed of with the above direction. No

costs.

02-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

msr

To

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