



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P(MD)No.21854 of 2015

V.Ponnusamy,
General Secretary,
All India SC/ST General Insurance Employees
Welfare Association,
C/o.National Insurance Company Ltd.,
No.3, North Veli Street,
Madurai, Tamil Nadu - 625001.

... Petitioner

Vs.

1.Under Secretary to Government of India,
Ministry of Finance,
Department of Financial Services,
Insurance - I - Section,
2nd Floor, Jeevan Deep,
Parliament Street, New Delhi.

2.The Chairman/Managing Director,
National Insurance Company Ltd.,
Head Office:Kolkatta - 71

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent to consider the petitioner's representation, dated 16.10.2015 within the stipulated time as fixed by this Honourable Court, to comply the direction given by the first respondent in his letter No.S-11012/04/2014-INS-1 Government of India, Ministry of Finance, Department of Financial Services, Insurance-I-Section, New Delhi, dated 23.09.2014.

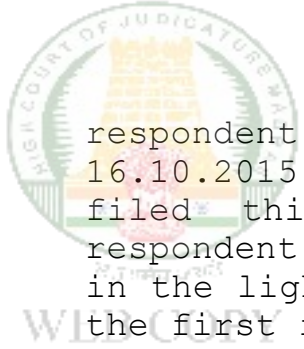
For Petitioner : Mr.C.Masilamani

For R-1 : Mr.K.Sundaram

Central Government Standing Counsel

ORDER

The petitioner is the General Secretary of All India SC/ST General Insurance Employees Welfare Association. According to the petitioner, though the Government of India, Ministry of Finance, issued the proceedings No.S-11012/04/2014-INS-1, dated 23.09.2014 giving certain benefits to the woman employees in the Insurance Corporations, the same is not implemented by the second



respondent. The petitioner also made a representation, dated 16.10.2015 to the second respondent in this regard. Now, he has filed this Writ Petition seeking direction to the second respondent to pass orders on the representation, dated 16.10.2015 in the light of the aforesaid circular, dated 23.09.2014 issued by the first respondent.

2. Mr.K.Sundaram, learned counsel represents the first respondent.

3. In view of the order that is going to be passed, I am of the view that no notice is necessary to the second respondent.

4. Heard the learned counsel for the petitioner and the learned counsel for the first respondent.

5. The Circular issued by the Government of India, Ministry of Finance in Circular No.S-11012/04/2014-INS-1, dated 23.09.2014, is as follows:

"....Subject: Transfer/Posting of female employees in Public Sector Insurance Companies.

Sir,

It has been brought to the notice of this Department that female employees of Public Sector Companies, married or unmarried, when posted/transferred away from their husbands or parents, as the case may be, to distant locations face genuine hardships and develop a feeling of insecurity, Keeping this in view, it has been decided:

i) to accommodate as far as possible transfer/posting of a married female employee, on her request, at a place where her husband is stationed or as near as possible to that place or vice versa: and

ii) to accommodate as far as possible transfer/posting of an unmarried female employee, on her request, at a place where her parents are stationed or as near as possible to that place.

Life Insurance Corporation(LIC) and the Public Sector General Insurance Companies are, therefore, advised to frame a policy on the subject with the approval of their Boards, suitably incorporating the above guidelines and to take immediate action for implementation and compliance. Pending requests may



also be considered under these guidelines. A line of confirmation may also be sent to this Department immediately after adoption of the policy by the Boards of the respective Insurance Companies.

This issues with the approval of Competent Authority....."

6. The aforesaid circular gives certain benefits to the woman employees in the matter of transfer. But the same is not implemented by the second respondent, according to the petitioner.

7. In these circumstances, this Writ Petition is disposed of directing the second respondent to pass orders on the representation of the petitioner Association, dated 16.10.2015, in the light of the Circular issued by the first respondent, dated 23.09.2015, within a period of eight weeks from the date of receipt of a copy of this order. No Costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai

Pm

To

1.Under Secretary to Government of India,
Ministry of Finance,
Department of Financial Services,
Insurance - I - Section,
2nd Floor, Jeevan Deep,
Parliament Street, New Delhi.

2.The Chairman/Managing Director,
National Insurance Company Ltd.,
Head Office:Kolkatta - 71

+1 cc to Mr.C.Masilamani,Advocate, SR No.70106

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