



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.565 of 2015

and

MP(MD) No.1 & 2 of 2015

Sekar

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Petitioner

Vs.

The Senior Divisional Manager
(Disciplinary Authority),
LIC of India,
Divisional Office,
Mahatma Gandhi Road,
Thanjavur 611 001.

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Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records from the respondent in his proceeding NIL dated 30.09.2014 and quash the same as untenable with a consequential direction to restore status quo ante.

For Petitioner

: Mr.N.Balakrishnan

For Respondent

: No appearance

ORDER

The petitioner is aggrieved against the order of the respondent dated 30.09.2014 whereby the petitioner was imposed with punishment of reduction to minimum basic in the scale of pay applicable to the cadre of assistants in terms of Regulation 39(1)(d) along with recovery of Rs.1,48,760/- in terms of Regulation 39(1)(c) of the LIC of India (Staff) Regulation 1960.

2.The above said regulations stipulate that as against such order of punishment imposed under Regulation 39, a right of appeal is contemplated under Regulation 40 to be filed within three months from the date on which the copy of the order was served on such person.

3.Therefore, when the order under challenge is appealable as per the above said Regulation, the petitioner cannot maintain this writ petition as an effective alternative remedy is available under the statute.

4.Accordingly, this writ petition is dismissed without going into the merits of the matter only on the ground that the petitioner has to avail the alternative remedy of appeal. Since the period specified under the statute for filing the appeal has already expired, the petitioner is given liberty to file such an appeal within four weeks from



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the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

\\True copy\\

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Sub Assistant Registrar

To

The Senior Divisional Manager
(Disciplinary Authority),
LIC of India, Divisional Office,
Mahatma Gandhi Road,
Thanjavur 611 001.

+1 CC TO M/S.N.BALAKRISHNAN, ADVOCATE SR.NO.2703

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SMS

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