

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.04.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.33401 of 2015

G.Balasubramanian

... Petitioner

Versus

1.The Life Insurance Corporation of India,
represented by the Chairman
Central Office,
Yog Jeevan Bima Marg,
Mumbai 400 021.

2.The Zonal Manager,
Life Insurance Corporation of India,
Southern Zonal Office,
LIC Building,
153, Anna Salai,
Chennai 2.

3.The Senior Divisional Manager,
Life Insurance Corporation of India,
Divisional Office,
9-A, Punithavathiar Street,
Palayamkottai, Tirunelveli 627 002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Certiorari, to call for the records on the file of the 2nd respondent in respect of the show cause notice issued by him in Proc.No.Matg/D1, dated 29.08.2015 and quash the same by holding that the Rules 7 and 8 of the Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Rules 2009 of the 1st respondent as Unconstitutional and Ultravires.

For Petitioner ::: Mr.R.Singaravelan
for Ms.M.Srividhya

For Respondents ::: Mr.S.Silambannan
Senior Counsel for
M/s.Profexs Associates for LIC
for R.1 to R.3

O R D E R

(The Order of the Court was made by
The Hon'ble The Chief Justice)

Learned counsel appearing for the respondents/Life Insurance Corporation states that in view of the Judgment of the Kerala High Court in W.A.No.2006 of 2014 (Life Insurance Corporation of India and another vs. Sonia Bhaskar and another) decided on 03.08.2015, the order under challenge be treated as withdrawn and a fresh order be passed after hearing the petitioner.

2. We are also informed by the learned counsel for the petitioners that the Judgment of the Allahabad High Court in W.A.No.53292 of 2010 (Vivek Anand vs. Life Insurance Corporation of India and others) decided on 06.12.2012 is the subject matter of challenge before the Hon'ble Supreme Court of India and there is always a possibility that something may be said therein beyond what is said in the Kerala High Court decision. It is agreed, if that be the position, the observations of the Hon'ble Supreme Court in those proceedings would equally apply to the matter in question.

3. Learned counsel for the respondent has clarified an aspect pleaded by the learned counsel for the petitioners that reconsideration now would be as per the existing rules.

4. The aforesaid statements are taken on record and the writ petition is disposed of, leaving the parties to bear their own costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Chairman,
The Life Insurance Corporation of India,
Central Office,
Yog Jeevan Bima Marg,
Mumbai 400 021.

WEB COPY

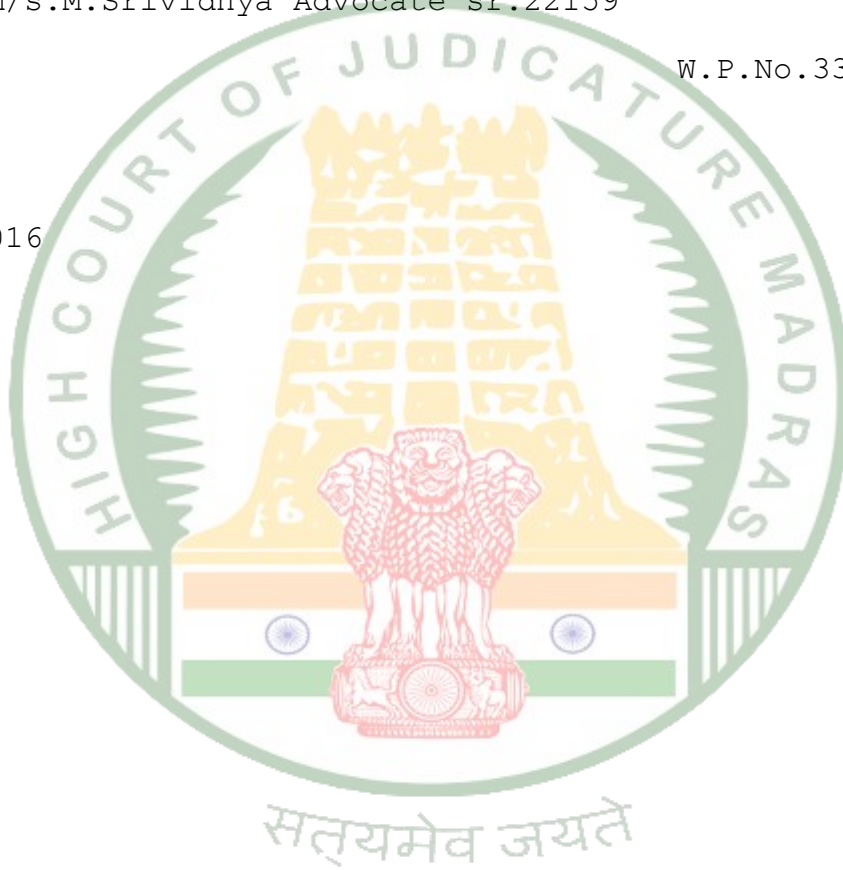
2.The Zonal Manager,
Life Insurance Corporation of India,
Southern Zonal Office,
LIC Building,
153, Anna Salai,
Chennai 2.

3.The Senior Divisional Manager,
Life Insurance Corporation of India,
Divisional Office,
9-A, Punithavathiar Street,

+1 cc to M/s.M.Srividhya Advocate sr.22159

W.P.No.33401 of 2015

aa26/04/2016



WEB COPY