

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.04.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.7649 of 2018

..Petitioner

Bharathi Swaminathan

Vs.

1.Government of India,
Ministry of Finance (Department of
Financial Services),
(Insurance Division),
Represented by Secretary to Government,
2nd Floor, Jeevan Deep,
Parliament Street, New Delhi-110 001.

2.Life Insurance Corporation of India,
Represented by the Chairman,
Central office,
5th floor, West Wing,
Yogakshema, Jeevan Bhima Marg,
Nariman Point, MUMBAI 400 021.

3.The Managing Director
and Chief Executive Officer,
LIC Housing Finance Ltd.,
Corporate Office,
Maker Tower-F, 13th Floor,
Cuffe Parade, MUMBAI 400 005.

4.The Regional Manager,
Southern Regional Office,
LIC Housing Finance Ltd,
Harrington Chambers,
No.30/1A, Block C,
Abdul Razak 1st Street,
Saidapet, Chennai-15.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents herein to pass appropriate orders on the petitioner's representations dated 12.01.2017, 20.07.2016 and 04.06.2016, so as to render the resigned employees eligible for the arrears due on account of Revision of Remuneration from 01.08.2012 up to the date of cessation of their services on account of resignation from service and consequently grant all benefits of Revision of Remuneration and all the arrears on account of such revision with effect from 01.08.2012 till 31.07.2015, to the petitioner herein, within a limited time frame as deem fit by this Hon'ble Court.

For Petitioner : Mr.M.Sasi Kumar

For Respondents: Mr.T.V.Krishnamachari (for R-1)
Senior Panel Counsel

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to pass appropriate orders on the petitioner's representations dated 12.01.2017, 20.07.2016 and 04.06.2016 so as to render the resigned employees eligible for the arrears due on account of Revision of Remuneration from 01.08.2012 up to the date of cessation of the services on account of resignation from service and consequently grant all monetary benefits in the revised pay.

2.The writ petitioner was appointed as an Executive Assistant in the year 1990 and reached the position of Associate Chief Manager and thereafter she resigned from service with effect from 31.07.2015. As per the rules, the resigned employees are not eligible for the retirement and terminal benefits as the resignation amounts to forfeiture of the past service. However, the learned counsel appearing on behalf of the writ petitioner states that the benefits already granted till the date of resignation was not granted to the writ petitioner and it was only the service benefits for the period in which the writ petitioner was in service. In other words, the service benefits due to the writ petitioner has not been paid so far. In this regard, the writ petitioner submitted various representations on 12.01.2017, 20.07.2016 and 04.06.2016. However, those representations are yet to be considered.

3.Thus, without going to the merits of the matter, the 3rd respondent is directed to consider the representations submitted by the writ petitioner on 12.01.2017, 20.07.2016 and 04.06.2016 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representations and all the relevant orders, if any, along with the order passed in the writ petition.

4. Accordingly, this writ petition stands disposed of.
However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kp

To

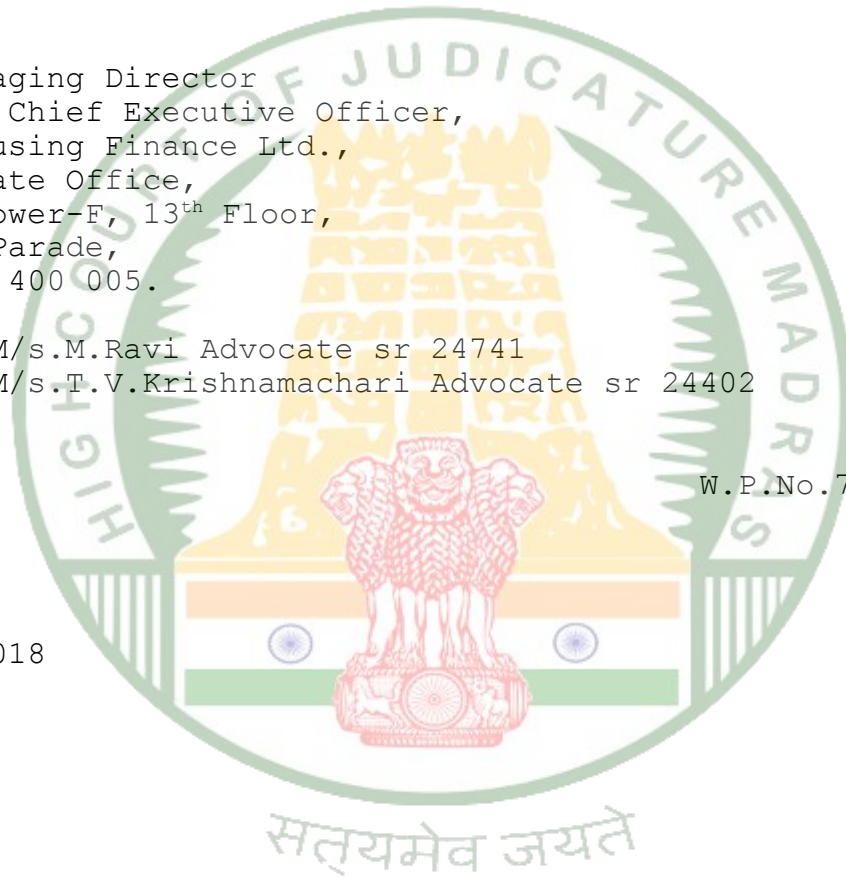
1. The Managing Director
and Chief Executive Officer,
LIC Housing Finance Ltd.,
Corporate Office,
Make Tower-F, 13th Floor,
Cuffe Parade,
MUMBAI 400 005.

+1 cc to M/s.M.Ravi Advocate sr 24741

+1 cc to M/s.T.V.Krishnamachari Advocate sr 24402

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