

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 20.04.2018****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.Nos.48642 and 48643 of 2006**

R.Babu

... Petitioner in W.P.48642/2006

I.Murugappan

... Petitioner in W.P.48643/2006

Vs.

1.Life Insurance Corporation of India,
rep. by its Chairman, Central Office,
Yogalakshema, Jeevan Bheema Nagar,
P.B.No.19953,
Mumbai – 400 021.

2.Life Insurance Corporation of India,
Zonal Office – South Zone,
Rep. by its Zonal Manager,
Annasalai,
Chennai – 2.

... Respondents in both W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent pertaining to the impugned Notification dated 26.08.2006 to 01.09.2006 inviting application for the post of Assistant Administrative Officer and to quash the same for not complying with Section 33 of the Persons With Disabilities Act and to direct the respondents to give effect to the provisions of the Section 33 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

For Petitioners : Mr.T.Senthilkumar
For Respondents : Ms.Kaavya Silambanan
for M/s.Silambanan Associates

COMMON ORDER

The petitioners have filed these writ petitions seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent pertaining to the impugned Notification dated 26.08.2006 to 01.09.2006 inviting application for the post of Assistant Administrative Officer and to quash the same for not complying with Section 33 of the Persons With Disabilities Act and to direct the respondents to give effect to the provisions of Section 33 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

2.The learned counsel appearing for the petitioners would submit that petitioners are visually handicapped and physically challenged persons with more than 40% disability and they have filed these writ petitions for effective implementation of the provisions of Section 33 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

3.The learned counsel appearing for the respondents referred to paragraph no.5 of the common counter affidavit and submitted that the Ministry of Social Justice and Empowerment have allowed the Corporation to recruit visually handicapped persons falling under Category-I impairment. Accordingly, it was notified that visually Handicapped persons falling under Category I (40% Impairment) only need apply.

4.Heard both sides.

5.It is useful to extract hereunder the relevant portion of the impugned Notification published in the Employment News dated 26.08.2006 to 01.09.2006:

"Applications are invited from Indian Citizens for the post of Assistant Administrative Officer in Life Insurance Corporation of India:

i) Total no. of vacancies: 300

	SC	ST	OBC	GEN
Reservation:	46	22	81	150
Backlog :	01	-	-	-
Total :	47	22	81	150
(Reservation for Emergency Commissioned Officers/Short Service Retrenched Commissioned Officers and				

****Physically Handicapped candidates shall be as per rules.)***

****In case of Visually Handicapped, candidates falling under category-I (with 40% impairment) only need apply.***

The total number of vacancies including the vacancies for the reserved category may increase or decrease, depending upon the actual vacancies at the time of final selection and availability of successful candidates after the written test."

6. In view of the above, I do not find that anything would survive for adjudication in this writ petition. Accordingly, the writ petition is closed. No costs. Consequently, the connected miscellaneous petitions are also closed.

सत्यमेव जयते

20.04.2018

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Speaking Order/ Non Speaking Order

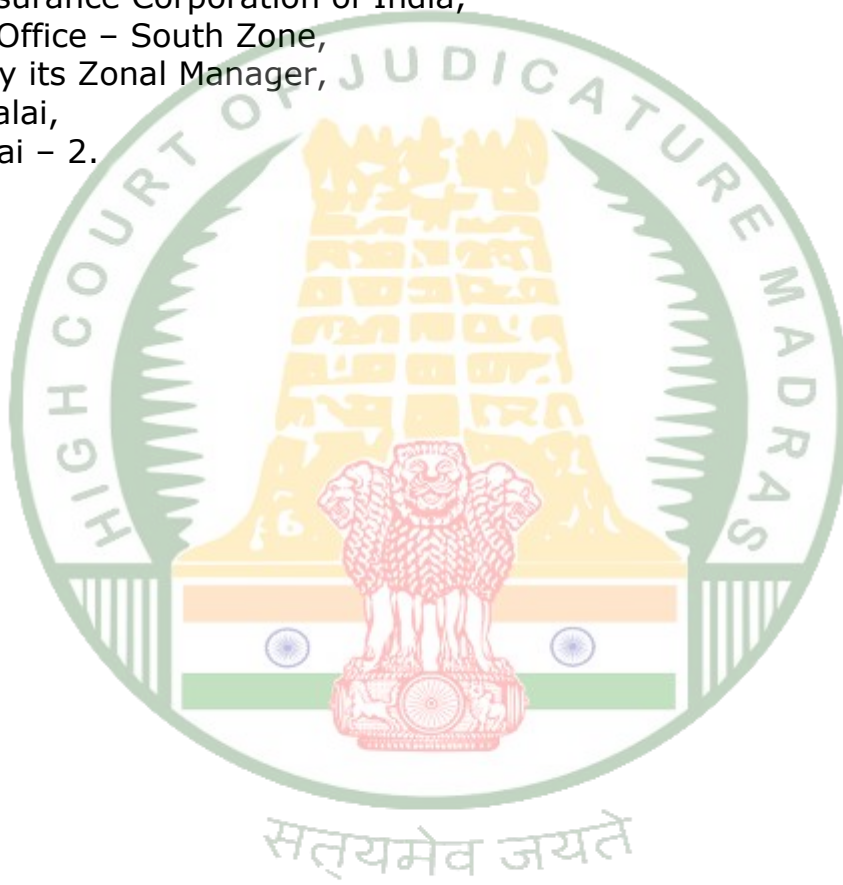
Index: Yes/ No

Internet: Yes/ No

To

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M.DHANDAPANI,J.



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