



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

and

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.A(MD)Nos. 758, 759 and 761 of 2018

and

C.M.P(MD)Nos.4515, 4517 and 4522 of 2018

1. The Life Insurance Corporation of India,
Rep by the Chairman,
Central Office, "Yogakshema",
Mumbai-400 021.

2. The Zonal Manager,
Life Insurance Corporation of India,
Southern Zonal Office,
Old No.102, New No.153
LIC Building, Anna Salai, Mount Road,
Chennai-2.

3. The Senior Divisional Manager,
Life Insurance Corporation of India,
Madurai Divisional Office,
Jeevan Prakash, Bridge Station Road,
P.O.Box No.16, Sellur, Madurai-625002.

.. Appellants/Respondents/
Respondents
(in all Writ Appeals)

Vs.

J.Palanirajan

..Respondent in W.A(MD).No.758 of 2018 /
Petitioner / Petitioner

Hemalatha

.. Respondent in W.A(MD).No.759 of 2018 /
Petitioner / Petitioner

A.Palaniyappan

.. Respondent in W.A(MD).No.761 of 2018/
Petitioner / Petitioner

COMMON PRAYER: Writ Appeals are filed under Clause 15 of the Letters Patent to set aside the orders dated 11.04.2018 and 10.04.2018 in W.M.P.(MD).Nos.7397, 7416 and 7221 of 2018 in W.P.(MD) No.7821, 7830 and 7592 of 2018 respectively.

Prayer in WMP(MD). 7397/ 2018 :

Petition is filed under Article 226 of the Constitution of India praying to grant ad interim stay staying the operation of the orders passed by the 1st respondent in Modification in Ref: Sales/Appraisal/SP dated 28.02.2018, and also the orders passed by the 3rd respondent in Ref Sales/Appraisal/SP dated 28.02.2018



Prayer in WP(MD). 7821/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records on the file of the 3rd respondent in connection with the orders passed by the 3rd respondent in Ref: Sales/Appraisal/SP dated 28.02.2018, quash the same by holding that the interpretation of the Rules 7 to 8 of the Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Rules 2009 and Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Amendment Rules 2016 notified by the respondent 1 and 2 for straight termination without enquiry as unconstitutional and ultravires.

Prayer in WMP(MD). 7416/ 2018 :

Petition is filed under Article 226 of the Constitution of India praying to grant an Interim stay staying the operation of the order passed by the 3rd respondent by the 3rd respondent in connection with the order passed by the him in his Proc.No.Nil dated 20.01.2018 and Proc.No.Nil dated 19.03.2018.

Prayer in WP(MD). 7830/ 2018 :

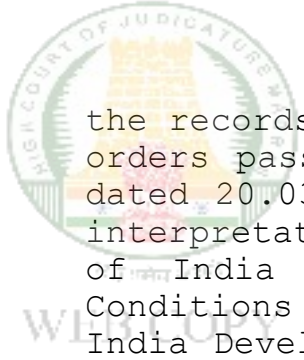
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records on the file of the 3rd respondent in connection with the order passed by the him in his Proc.No.Nil dated 20.01.2018 and Proc.No.Nil dated 19.03.2018 and quash the same by holding that the interpretation of the Rules 7 to 8 of the Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Rules 2009 and Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Amendment Rules 2016 notified by the respondent 1 and 2 for straight termination without enquiry as unconstitutional and ultravires.

Prayer in WMP(MD). 7221/ 2018 :

Petition is filed under Article 226 of the Constitution of India praying to grant ad interim stay staying the operation of the orders passed by the 3rd respondent in Ref / Appraisal / SP dated 20.03.2018 and also the orders passed by the 3rd respondent in Ref Sales / Appraisal / SP dated 27.03.2018.

Prayer in WP(MD). 7592/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari to call for



the records on the file of the 3rd respondent in connection with the orders passed by the 3rd respondent in Ref Sales / Appraisal / SP dated 20.03.2018 and 27.03.2018 quash the same by holding that the interpretation of the Rules 7 to 8 of the Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Rules 2009 and Life Insurance Corporation of India Development Officer (Revision of Certain Terms and Conditions of Service) Amendment Rules 2016 notified by the respondent 1 and 2 for straight termination without enquiry as unconstitutional and ultravires.

(In All Writ Appeals)
For Appellants

: Mr.G.Prabhu Rajadurai

COMMON JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The Life Insurance Corporation of India has filed the above three Writ Appeals questioning the interim order granted by the learned single Judge.

2. We are of the considered view that the appellants herein can as well apply for vacating the interim order. When we put a question to the learned counsel appearing for the appellants, he would reply that the Life Insurance Corporation of India had already filed an application for vacating the interim order and that the same has not been listed so far and that is why, they have filed these Writ Appeals.

3. We are of the view that interest of justice would be served by requesting the learned single Judge to dispose of the vacate stay application filed, on or before 10.06.2018.

4. The Registry is directed to list the vacate stay application filed by the Life Insurance Corporation of India in the first week of June, 2018.

5. With the above direction, the Writ Appeals stand disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

The Section Officer,
Writ Section,
<https://hcservices.ecourts.gov.in/hcservices/>
Madurai Bench of Madras High Court,
Madurai.



+1cc to Mr.G.Prabhu Rajadurai, Advocate Sr.No.65184

CP/PM

VB/RSK/SAR2/16/05/2018/4P/3C

**JUDGMENT MADE IN
W.A(MD)Nos. 758, 759 and 761 of 2018
09.05.2018**