

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.26953 of 2018  
and  
W.M.P.No.31329 of 2018

All India Scheduled Castes/Scheduled Tribes/  
Buddhists LIC Employees Welfare Association,  
South Zone,  
Rep. by its General Secretary,  
R.Janarthanan  
LIC of India, P & GS Department,  
Third Floor, LIC Building, No.156,  
Anna Salai, Chennai - 600 002. .... Petitioner

Vs.

- 1.Life Insurance Corporation of India (LIC)  
Rep. by the Zonal Manager,  
South Zone,  
LIC Building,  
No.156, Anna Salai,  
Chennai - 600 002.
- 2.All India Scheduled Castes/Scheduled Tribes/  
Buddhists LIC Employees Welfare Association  
Head Quarters  
Industrial Assurance Building  
1<sup>st</sup> floor, Above Asiatic Stores,  
Church- Gate Railway Station,  
Mumbai - 400 020.
- 3.Mr.G.P.Jadhav  
All India General Secretary  
All India Scheduled Castes/Scheduled Tribes/  
Buddhists LIC Employees Welfare Association  
Head Quarters  
Industrial Assurance Building  
1<sup>st</sup> floor, Above Asiatic Stores,  
Church- Gate Railway Station,  
Mumbai - 400 020.

- 4.A.Mohan Raj  
Branch Manager, CLIA, LIC of India,  
Divisional Officer,  
Tirunelveli - 627 002  
Tirunelveli District.
- 5.K.Kumar  
Higher Grade Assistant (HGA)  
LIC of India, Tiruvanamalai Branch,  
Tiruvanamalai - 606 601.
- 6.E.Anbuselvam  
ADM, LIC of India,  
Perambur Branch Office,  
Chennai Division -2,  
Perambur, Chennai -600 011.
- 7.M.Arunachalam  
AAO, LIC of India,  
Satilite Office,  
Chinna Salem-606201,  
Salem District.
- 8.R.E.Raju  
Higher Grade Assistant (HGA)  
LIC of India, CBO-I, No.1,  
Kondi Chetty Street, Chennai - 600 001.
- 9.V.Ganesan  
AAO, LIC of India,  
Divisional Office,  
MASH, Madurai - 625 020.
- 10.G.Krishnamurthy  
Higher Grade Assistant (HGA)  
LIC of India, Divisional Office,  
Tirunelveli District.
- 11.T.Selvaraj  
Assistant, LIC of India  
City Branch -2,  
Thiruvananthapuram-695 001,  
Kerala State.
- 12.M.Perinbakumar  
ABM(S), LIC of India  
City Branch -5, LIC Building,  
1<sup>st</sup> Floor, No.156, Anna Salai  
Chennai - 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent herein not to entertain any of the activity of respondents 4 to 12 on behalf of the petitioner's Association in the capacity of office bearers (Illegally) namely All India Scheduled Castes/Scheduled Tribes/Buddhists LIC Employees Welfare Association, South Zone in any manner until the expiry of the newly elected office bearers term period.

For Petitioner : Mr.A.Kalaivanan

For Respondents : Mr.R.S.Anandan for R1

Mr.J.Srinivasa Mohan for R6, R8 & R12

Mr.J.Amirtha Saroyoo

for R4, R5, R7, R9 & R10

#### O R D E R

This writ petition is filed for the following relief:

To direct the 1<sup>st</sup> respondent herein not to entertain any of the activity of respondents 4 to 12 on behalf of the petitioner's Association in the capacity of office bearers (Illegally) namely All India Scheduled Castes/Scheduled Tribes/Buddhists LIC Employees Welfare Association, South Zone in any manner until the expiry of the newly elected office bearers term period.

2. Heard the learned counsel for the petitioner and the learned counsels appearing for the respondents.

3. It is seen that there is a dispute between the petitioner on one side and the private respondents on the other side with regard to the election conducted to the Association.

4. According to the petitioner, there are one set of office bearers duly elected and they have to be recognized by the LIC of India. According to the private respondents, there are another set of duly elected office bearers of the Association and consequently, the petitioner cannot prevent these private respondents from having been recognized or considered by the LIC of India.

5. On the other hand, a counter affidavit is filed by the 1<sup>st</sup> respondent clearly stating that no trade union/association is recognized in the LIC and that the Corporation is not involved in the election process of individual unions/association and also on their internal matters or disputes. It is further stated in the counter affidavit that the petitioner and the contesting respondents will have to resolve their problems by themselves or through Court of law and the LIC cannot entertain

either of the parties concerned till the disputes are resolved amicably or by Court of law.

6. Therefore, it is evident from the counter filed by the 1<sup>st</sup> respondent that the private dispute with regard to the election to the office bearers of the Association between these two warring group, has to be agitated before and adjudicated upon by the competent Civil Court only and not by way of filing the present writ petition.

7. Accordingly, without expressing any view on the merits of the matter, this Writ Petition is disposed of by granting liberty to the parties to agitate the matter before the competent Civil Court. The above submission made by the LIC that they cannot entertain either of the parties concerned till the disputes are resolved amicably or order by Court of law is also recorded. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

gsi/vsi

To

- 1.The Zonal Manager,  
Life Insurance Corporation of India (LIC),  
South Zone, LIC Building, No.156,  
Anna Salai, Chennai - 600 002.
- 2.All India Scheduled Castes/Scheduled Tribes/  
Buddhists LIC Employees Welfare Association  
Head Quarters, Industrial Assurance Building  
1<sup>st</sup> floor, Above Asiatic Stores,  
Church- Gate Railway Station,  
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Divisional Officer, Tirunelveli - 627 002  
Tirunelveli District.
- 5.K.Kumar  
Higher Grade Assistant (HGA), LIC of India,  
Tiruvanamalai Branch, Tiruvanamalai - 606 601.
- 6.E.Anbuselvam  
ADM, LIC of India, Perambur Branch Office,  
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- 12.M.Perinbakumar  
ABM(S), LIC of India, City Branch -5,  
LIC Building, 1<sup>st</sup> Floor, No.156, Anna Salai  
Chennai - 600 002.

+1cc to Mr.A.Kalaivanan, Advocate SR.No.16209

+1cc to Mr.J.Srinivasamohan, Advocate SR.No.15983

+1cc to Mr.RS.Anandan, Advocate SR.No.15917

W.P.No.26953 of 2018

SJ(CO)  
GMY(07/03/2019)