

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.11.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.32766 of 2018
and WMP.Nos. 37978 and 37982 of 2018

1. All India LIC OBC
Employer's Welfare Association (Reg.No.58 of 1999)
Rep. by its President,
K.Kamalakannan.
 2. LIC Backward Classes Employees
Welfare Association, (Reg.No.412 of 1998),
Rep. by its President,
G.Sundaramoorthy.
- ...Petitioners

Vs

1. Union of India,
Rep. by its Secretary,
The Department of Financial Services,
Ministry of Finance,
Jeewan Deep Building, Parliament Street,
New Delhi.
2. The Secretary to the Government of India,
Department of Personnel and Training,
Ministry of Personnel, Public Grievance and Pensions,
North Block, New Delhi.
3. The Chairman,
LIC of India, Central Office,
Yogakshema, Jeevan Bima Mazg,
Mumbai 400 021.
4. The Zonal Manager,
LIC of India,
South Zonal Office, LIC Building,
Chennai 600 002.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 3rd and 4th respondents to implement the directions of the 1st and 2nd respondents, and Parliamentary Committee recommendations for OBC employees in order to protect the OBC employees of the 3rd and 4th respondents as per OMS (1) OM.No.42011/18/96 - Esst (Res) dated 06.03.1997 and No.F.2/3/97 -SCT(B) Government of India dated 09.01.2001, (2) O.M.No.36012/2/96-Esst (Res) dated 02/07/1997, (3) O.M.No.F.No.420111/2/2014-Esst (Res) dated 13/02/2014 and (4) F.No.2/02/2013-welfare dated 06.11.2013.

For Petitioner : Mr.V.Subramanian
for M/s.Kanimozhi Mathi
For Respondents : Mr.B.Mohan, for RR3 & 4

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents 3 and 4 to implement the directions of the respondents 1 and 2, and Parliamentary Committee recommendations in order to protect the OBC employees of the 3rd and 4th respondents as per OMS dated 06.03.1997, 02.07.1997, 09.01.2001, 06.11.2013 and 13.02.2014.

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2. Though the Writ Petition has been filed for implementing the official memorandums dated 06.03.1997, 02.07.1997, 09.01.2001, 06.11.2013 and 13.02.2014, after seeing the counter filed by the respondents 3 and 4, the learned counsel for the Writ Petitioners would

state that the respondents 3 and 4 have complied with the directions, except the circular issued by the Ministry of Finance, Government of India, dated 06.11.2013. According to the learned counsel, no office space has been allotted to the petitioner-Associations.

3. This Writ Petition has been filed by the petitioner-Associations and their main grievance appears to be that the respondents 3 and 4 are not allotting any office space, despite the circular in F.No.2/02/2013-welfare, dated 06.11.2013.

4. It is the case of the respondents 3 and 4 that as per the circular dated 06.11.2013, Welfare Association may be provided with office space and other facilities, subject to availability of space at Headquarters level. In this case, LIC Headquarters being in Mumbai, the issue of providing space is not at all applicable to Chennai office.

5. It is seen that this Writ Petition has been filed seeking issuance of Writ of Mandamus without giving proper representation to the competent authority, viz., respondents 3 and 4. Therefore, on the basis of this Writ Petition, no order can be passed. If the petitioner-Associations are having any grievance they are at liberty to give proper representation to the competent authority and the same can be considered by them in accordance with law.

6. With the above observations, the Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

21.11.2019

Index : Yes/No
Internet : Yes/No
Speaking/ Non Speaking Order
pvs

To

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