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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition No.18032 of 2011

and

M.P. No. 1 & 2 of 2011

Mrs. Uma

.. Petitioner

Versus

1. The Chairman
Insurance Regulatory Development
Authority of India,
Dr. Vaidya Marg
Fort, Mumbai 400 023.
2. The Associate Vice President,
having office at Nataraj Building 4th floor,
M.V.Raja and Western Express Highway Junction,
Andheri West, Mumbai 400 069

formerly having office at
SBI Life Insurance Company Limited,
State Bank Bhawan, Madama Cama road,
Nariman Point, Mumbai 400 021.
3. The Regional Sales Manager,
SBI Life Insurance Company Ltd,
SBI learning Centre, Building No.20,
Third Floor, Pycrofts Garden Road,
Nungambakkam, Chennai 600 034.
4. The Banch Manager, SBI Life Insurance Company Ltd.,
No.3/11, Arcot Road, first floor, Karambakkam,
Porur, Chennai 600 116. ... Respondent



Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the second respondent vide order dated 23.09.2010 and confirmed by the order dated 10.01.2011 and quash the same and to direct the respondents to renew the licence to work as Insurance Advisor in favour of the petitioner.

For Petitioner : Mr. G. Muthukrishnan
For Respondents : Mr. M.B. Gopalan for R1
Mr. Sethuraman for R3 and R4
No appearance for R2

ORDER

The petitioner has filed this writ petition questioning the validity and/or correctness of the order of termination passed by the second respondent, terminating her from acting as Insurance Advisor, which was confirmed by the order dated 10.01.2011 of the fourth respondent and after setting aside the orders, seeks for consequential benefit to direct the respondents to renew the licence to work as Insurance Advisor in her favour.

2. According to the petitioner, she was a Life Insurance Adviser of SBI Life Insurance Company Limited and licence was also given by the Insurance Regulatory Development Authority of India to act as Advisor. The Insurance Advisers are allowed to canvass and procure business for SBI Life Insurance by printing pamphlets containing the salient features of the Insurance Scheme, after getting approval from the respective Superior Officer, to whom , they are attached. Accordingly, the petitioner, after getting approval from the 4th respondent distributed and circulated the printed pamphlets among the public. But to the shock and surprise, the 2nd respondent sent a notice of termination dated 23.09.2010, without giving show cause notice or calling for explanation from the petitioner. Though the petitioner has given her explanation, vide order dated 10.01.2011, the fourth respondent confirmed the above said termination order dated 23.09.2010. Hence this writ petition.

3. The respondents 2 to 4 have filed counter affidavit, wherein, at paragraph No.9, reads thus.

"I state that the petitioner by her letter



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received on 05.10.2010 made an appeal wherein she admitted the circulation of unauthorized distribution of pamphlets. The disciplinary committee considered the appeal for review and confirmed the decision of termination of agency. By a letter dated 10.01.2011, the decision of competent authority who considered the appeal was communicated to the petitioner."

4. Today, when the writ petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is no more.

5. In view of the above, there is no need to grant any relief, as prayed for by the petitioner. The relief prayed for by the petitioner has become infructuous.

6. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mst/rsh

To

1. The Chairman, Insurance Regulatory,
Development Authority of India,
Dr. Vaidya Marg, Fort Mumbai 400 023.
2. The Associate Vice President,
Nataraj Building 4th floor,
M.V.Raja and Western Express Highway Junction,
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formerly having office at
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3. The Regional Sales Manager,
SBI Life Insurance Company Ltd,
SBI learning Centre, Building No.20,
Third Floor, Pycrofts Garden Road,
Nungambakkam, Chennai 600 034.

4. The Branch Manager, SBI Life Insurance Company Ltd.,
No.3/11, Arcot Road, first floor, Karambakkam,
Porur, Chennai 600 116.

+1cc to M/s.S.Sethuraman, Advocate, S.R.No.45950

WP No.18032 of 2011

RGN(CO)
SB(13/10/2021)