

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.18261 of 2015
& M.P.No.1 of 2015

All India Insurance SC / ST
Employees Action Committee
Rep. by its President,
Mr.G.Ganesan,
No.5/198, sivan Koil Street,
Mogappair West, Chennai - 37.

... Petitioner

Vs.

1. The Secretary,
Government of India,
Ministry of Finance,
Department of Economic Affairs,
Insurance Division, New Delhi - 400 020.
2. The Chairman - Cum - Managing Director,
The New India Assurance Co. Ltd.,
No.87, M.G.Road, Fort, Bombay.
3. The Chairman Cum Managing Director,
National Insurance Co. Ltd.,
No.3, Middleton Street, Calcutta - 700 001.
4. The Chairman Cum Managing Director,
Oriental Insurance Co. Ltd.,
No.25/27, Asaf Ali Road, New Delhi - 110 001.
5. The Chairman Cum Managing Director,
United India Insurance Co Ltd.,
No.24, Whites Road, Madras - 600 014.
6. The Chairman,
General Insurance [Public Sector],
Association of India (GIPSA),
Jeeva Vihar, 3rd Floor, [Rear portion,
Parliament Street, Sansad Marg,
New Delhi - 110 001.

7. The General Insurance Corporation of India,
No.170, J, Tata Road, Church Gate,
Mumbai - 400 020.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to provide reservation in the promotion policy for promotion from Scale I to Scale VI in terms of the O.M.No.13-08-1997 and 01.02.2010 and the decisions of the Hon'ble Supreme Court or India in Civil Appeal No.209 of 2015 and the Order of the High Court, Madras in W.A.No.830 of 1996 and W.P.No.8166 of 1996 dated 28.01.2015.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.T.S.Baskaran, R2, 4, 5 & 7

ORDER

This writ petition has been filed to direct the respondents to provide reservation to the petitioners for promotion from Scale I to Scale VI in the light of the decision of the Hon'ble Supreme Court in Civil Appeal No.209 of 2015 filed against the order of this Court dated 28.01.2015 in WA.No.830 of 1996 and WP.No.8166 of 1996.

2.Today, when the matter was taken up for consideration, the learned counsel appearing for the respondents 2, 4, 5 and 7 submitted that the order passed in Civil Appeal No.209 of 2015 has been reviewed by the Supreme Court and hence, the prayer of the petitioner cannot be considered. In support of the same, he produced a copy of the Order passed by the Supreme Court in Civil Appeal No.11095 of 2016 [arising out of SLP (Civil) No.16919 of 2015], which order is profitably extracted hereunder:

"Leave granted.

This appeal is directed against the order dated 28.1.2015 passed by the High Court of Judicature at Madras in Writ Appeal No.830/1996 regarding reservation in promotions.

Learned Attorney General points out that in the impugned order filed before us, the High Court has relied upon the order in Civil Appeal No.209 of 2015 passed on 9.1.2015 by this Court.

Since the relied upon order in Civil Appeal No.209 of 2015 (referred to by the High Court) has been reviewed by this Court on 08.01.2016 in Review Petition (Civil) No.891/2015 in Civil Appeal No.209/2015 etc. titled as Chairman & Managing

Director, Central Bank of India & Ors. Vs. Central Bank of India SC/ST Employees Welfare Association & Ors. [2016(1) SCALE 236], the present appeal is allowed in terms of the said order. No costs."

3. In the light of the aforesaid order passed by the Supreme Court, this Court is of the opinion that the writ petition is liable to be dismissed and is accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vrc

To

The Secretary,
Government of India, Ministry of Finance,
Department of Economic Affairs,
Insurance Division,
New Delhi - 400 020.

+1cc to M/s.T.S.Baskaran, Advocate Sr.12542

W.P.No.18261 of 2015

ssd[col]
srg 09/07/2021

WEB COPY