

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 29883 of 2011
and
W.M.P. No. 1 of 2011

C.R.R.Jaya Sai Vadivel @ R.Sayeenaga Vadivel
... Petitioner

-vs-

1. The Zonal Manager,
Life Insurance Corporation of India,
Zonal Office,
Chennai - 2.
2. The Senior Divisional Manager,
Life Insurance Corporation of India,
Coimbatore Division, Coimbatore.
3. The Branch Manager,
Life Insurance Corporation of India,
Perundurai, Erode. Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to release the Annual Grade Increments, Appraisal Settlement from the years 2007-2008 and other accrued benefits thereto on the basis of final representation dated 26.07.2011, addressed to the first respondent.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.Manoj Sreevalson

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to release the Annual Grade Increments, Appraisal Settlement from the years 2007-2008 and other accrued benefits thereto on the basis of final representation dated 26.07.2011, addressed to the first respondent.

2. The case of the petitioner is that, he was working as Development Officer with the respondents / Life Insurance Corporation of India, Branch Office, Perundurai since 1992. While he was working, according to the petitioner, certain benefits like Annual Grade Increments pertaining to the appraisal periods of 2007-2008, 2008-2009, 2009-2010 and 2010-2011 have to be released by the Branch Manager. However, despite several representations to that effect having been given by the petitioner, nothing was forthcoming from the respondents. Lastly, he had given representation on 26.07.2011 seeking such relief and even the said representation was not considered. Therefore, the petitioner has approached this Court by filing the present Writ Petition with the aforesaid prayer.

3. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner who would reiterate the aforesaid facts and seeks indulgence of this Court.

4. However, Mr.Manoj Sreevalson, learned counsel appearing for the respondents / L.I.C. would submit that, in the meanwhile, disciplinary proceedings were ended in some punishments and order of punishment was awarded against the petitioner on 06.08.2014. In view of the same, the petitioner is not entitled to get the relief as claimed by him, he contended.

5. I have considered the submissions made by both parties and have perused the materials placed before this Court.

6. Whether the order passed on 06.08.2014 inflicting some punishment against the petitioner, would be the reason for refusal of granting the relief i.e., as sought for by the petitioner, subsequently for four years from 2007 to 2011 is a question, that can only be decided by the respondents / L.I.C. Therefore, this Court feels that, a direction can be given to the respondents to dispose the representation of the petitioner dated 26.07.2011 in this regard within a time frame on merits.

7. In that view of the matter, this Court is inclined to dispose of the Writ Petition with the following orders:

"That the respondents are hereby directed to consider the representation of the petitioner dated 26.07.2011 with regard to the Annual Grade Increments of 2007-2008, 2008-2009, 2009-2010 and 2010-2011 on merits and in accordance with law and shall pass orders as referred above within a period of three months from the date of receipt of a copy of the order and final order passed in this regard shall be communicated to the petitioner."

8. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vji

To

1. The Zonal Manager,
Life Insurance Corporation of India,
Zonal Office,
Chennai - 2.
 2. The Senior Divisional Manager,
Life Insurance Corporation of India,
Coimbatore Division, Coimbatore.
 3. The Branch Manager,
Life Insurance Corporation of India,
Perundurai, Erode.
- +1 CC to Mr.L.Chandrakumar, Advocate, Sr.No.7797
- +1CC to Mr.Manoj Sreevarsan, advocate, Sr.No.8089

सत्यमेव जयते

W.P. No. 29883 of 2011
and
W.M.P. No. 1 of 2011

LN (CO)
A.SK (12.07.2021)

WEB COPY