

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.10300 of 2021

G.Donald

...Petitioner

Vs

1. The Chairman cum Managing Director,
United India Insurance Company,
24, Whites Road, Chennai 600 014.

2. The General Manager,
United India Insurance Company,
Head Office,
24, Whites Road,
Chennai 600 014

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider his representation dated 06.01.2021 for the post of "Marketing Officer" with the second respondent-Insurance Company within a time frame as may be fixed by this Court.

For Petitioner : Mr.T.R.Sundaram

ORDER

The petitioner has come up with this Writ Petition seeking a direction to the respondents to consider his representation dated 06.01.2021 for the post of "Marketing Officer" with the second respondent-Insurance Company within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he has completed B.Sc Degree and he joined as an Agent in the agency of the second respondent on 27.06.2003. He has been allotted agent Licence No.1144539(2003) and Agent Code No.5144264670 (2014) in the Divisional Office, Tirunelveli. From the date of his appointment, he has been performing his business as an Agent without any adverse remarks. During 2016, the second respondent-Company, vide proceedings No.MKTG:BA:374 2016-17 dated 15.12.2016, had given administrative instructions for

implementation of the provision of contractual appointment of Business Associates under Scheme 2016, as per which, appointments of superannuated Development Officers (Marketing) Grade-I have been made as "Business Associates" on contractual basis. The above said scheme was also extended during January 2021. During the meeting held on 04.03.2016 at Mumbai, the appointment of 'Business Associates and Marketing Officer' on contractual basis has been taken into consideration for appointment. In view of the same, the petitioner is also entitled to be appointed as "Marketing Officer". Hence, the petitioner has sent a representation to the respondents on 06.01.2021 to consider him for the post of Marketing Officer in the Respondents-Company, as he served as an agent nearly 17 years. In spite of his representation, the respondents neither considered his representation nor given any reply for the same. Hence, the petitioner approached this Court for issuance of a Writ of Mandamus.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 06.01.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and by affording them an opportunity of personal hearing or virtual hearing, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Chairman cum Managing Director,
United India Insurance Company,
24, Whites Road, Chennai 600 014.

2. The General Manager,
United India Insurance Company,
Head Office,
24, Whites Road,
Chennai 600 014

+2cc to Mr.T.R.Sundaram, Advocate, S.R.No.24934

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PPA(CO)
CB(05/07/2021)



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