

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.27207 of 2021

V.S.S. Krishna
S/o(Late) V.S. Siva Subramanian,
Former Financial Services Executive (FSE)
55/66 Anna Nagar, First Cross,
Pnniyammanpet, Salem-636 001.Petitioner

Vs

The Senior Divisional Manager,
Life Insurance Corporation of India (LICI),
Salem Divisional Office, Jeevan Prakash,
Johnsonpet, Salem - 636 007.Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to grant the Commission amount for the 4626 policies which completed in the petitioner's own License No.0809051518 valid period (27.04.2012 to 26.04.2015) as on date commission along with interest on delayed payment of commission and to credit the future renewal commission to the petitioner's account directly and issue the Customers policies due list/details of the policies.

For petitioner: V.S.S. Krishna (Party in Person)

ORDER

The present petition has been filed seeking a direction to the respondent to grant the Commission amount in respect of the petitioner's license as on date along with interest on delayed payment of commission and to credit the future renewal commission to the petitioner's account.

2. Since no adverse order is being passed against the respondent herein, notice to the respondent is dispensed with.

3. The case of the petitioner is that the petitioner joined in Life Insurance Corporation of India (LICI), Salem

Division as the Financial Services Executive (FSE) Contractual Employee on 09.05.2012 and he was illegally terminated on 25.01.2018 and the petitioner was not issued with the Conduct Certificate or Job Experience Certificate. At the time of joining, the petitioner had obtained IRDA licence bearing No.0809051518 at the instance of the respondents. Subsequent to his termination, the petitioner filed Appeals under Right to Information Act, through which the petitioner came to know that during his service, 2925 policies were completed in his FSE Code 0015070 and 4626 policies were completed in his license No.0809051518. While being so, the petitioner had requested the respondent to the issue the Commission bill for 4626 policies, however, the petitioner was not given proper replies for the same. Therefore, the petitioner sent a legal notice dated 07.02.2021 with regard to the commission payment for 4626 policies which was completed in respect of his License, for which the reply was given by the respondent that 2925 policies were completed in respect of the petitioner's license. Since, the petitioner was not satisfied with the replies given by the respondent, he sent a rejoinder notice dated 20.02.2021, however, again the same replies were given by the respondent. Hence, the petitioner left with no other alternative, had filed the present petition.

4. The petitioner appeared before this Court in person and reiterated the grounds as raised in the affidavit filed in support of the Writ Petition.

5. Upon hearing the learned counsel for the petitioner, this Court without going into the merits of the case, directs the petitioner to make a representation before the respondent for issuance of details with regard to the policies completed, within a period of two weeks from the date of receipt of a copy of this order. On such representation being made, the respondent is directed to consider and dispose of the same in accordance with law, within a period of four weeks thereafter.

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

NHS

To

The Senior Divisional Manager,
Life Insurance Corporation of India (LICI),
Salem Divisional Office, Jeevan Prakash,
Johnsonpet, Salem - 636 007.

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