



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.34055 of 2018

and

W.M.P.Nos.39553 & 39558 of 2018

(Through Video Conferencing)

G.Dilip Kumar

... Petitioner

Vs.

1. Senior Divisional Manager
(Discipline Authority)
Life Insurance Corporation of India,
P & IR Department,
Chennai Divisional Office - II,
C-47, 2nd Avenue, Anna Nagar Plaza,
Anna Nagar, Chennai - 600 040.

2. Branch Manager,
Life Insurance Corporation of India,
CBO - 20, No-75, Walltax Road,
Chennai - 600 003.

3. Mr.K.A.Sachidanandam
Development Officer (Retd.)

4. Mr.T.S.Srivatsan

... Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorari, to call for the records pertaining to order dated 06.12.2018 passed by the first respondent in Ref:P & IR/DO -II, Disciplinary Proceedings under Regulation 16 of the Life Insurance Corporation of India (Agents) Regulations, 2017 and in the matter of Petitioner, i.e. Sri.G.Dhilip Kumar, Agent Code No - 7371U, CBO-20, Chennai Division - II, finding him guilty and awarding the punishment of "Termination and forfeiture of his entire commission in respect to all the policies effected under his agency and recovery of loss caused to the Corporation amounting to Rs.2,71,800/-" under Regulation 12, 16(1)(b), 16(1)(h), 16(1)(i), 19(2) of Life



Insurance Corporation of India (Agents) Regulation, 2017 and set aside the same.

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For Petitioner : Mr. Adinarayana Rao

For R1 & R2 : Mr. Manoj Sreevatsan

For R3 & R4 : No appearance

O R D E R

When the case was taken up for hearing, the learned counsel for the petitioner submitted that there is an alternate remedy by way of an appeal against the impugned order in terms of Regulation 20 of the Life Insurance Corporation of India (Agents) Regulations, 2017.

2. The learned counsel for the petitioner therefore submits that liberty may be granted to the petitioner to file an appeal. It is submitted that since the period of limitation has already expired, the appellate authority may be directed to dispose the appeal on merits.

3. The learned counsel for the first and second respondents submits that the petitioner may be given such opportunity to file an appeal before concerned Authority within a short period.

4. Considering the above, this Writ Petition is disposed by giving liberty to the petitioner to file an appeal in terms of Regulation 20 of the Life Insurance Corporation of India (Agents) Regulations, 2017, within a period of 60 (sixty) days from the date of receipt of a copy of this order. If such an appeal is filed within such time, the appellate authority shall dispose the appeal on merits. No cost. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. Senior Divisional Manager
(Discipline Authority)
Life Insurance Corporation of India,
P & IR Department,
Chennai Divisional Office - II,
C-47, 2nd Avenue, Anna Nagar Plaza,
Anna Nagar, Chennai - 600 040.

2. Branch Manager,
Life Insurance Corporation of India,
CBO - 20, No-75, Walltax Road,
Chennai - 600 003.

+1cc to Mr.Manoj Sreevalson, Advocate, S.R.No.42835

+1cc to Mr.Adinarayana Rao, Advocate, S.R.No.42436

W.P.No.34055 of 2018
and
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LN(CO)
SU(27/09/2021)