



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD)No.4715 of 2021

M.Latha Mangai

: Petitioner

Vs.

The Senior Divisional Manager,
LIC of India, Thanjavur Divisional Office,
"Jeevan Prakash", Post Box No.39,
Gandhiji Road, Thanjavur -613 001.

: Respondent

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 10.02.2021 to attach all those 45 LIC Agents and provide all monetary benefits including an appropriate interest which were attached to her earlier CLIA Code M0031-75B to new CLIA Code M0086-75B, within the stipulated time as prescribed by this Court.

For Petitioner

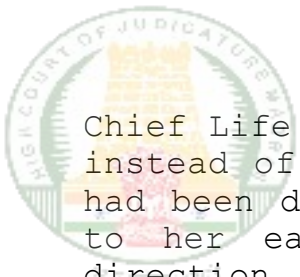
:Mr.C.Masilamani

ORDER

The petitioner claims herself to be a Life Insurance Corporation Agent and has been granted agency by the respondent Corporation in 2002. According to her, due to her exemplary performance, she was promoted to Chief Life Insurance Advisor (CLIA). As a consequence of her promotion, the petitioner was attached with 45 agents under her agency code.

2.It appears that the respondent Corporation has subsequently proceeded against the petitioner some time in 2015 and withdrawn her LIC agency code, namely, CLIA code. However, according to her, due to intervention of this Court, the same was restored after some time. According to the petitioner that through CLIA code, she had more than 4000 policy holders and she used to give guidance to LIC agents appointed under her as a supervisory agent.

3.It is also averred in the affidavit that a penalty was imposed on her by terminating her Agent Club Membership for causing financial loss to the Corporation under the provisions of LIC of India (Agents) Rules 1972, vide order, dated 29.09.2018. The petitioner is that when she was re-appointed as



Chief Life Insurance Advisor (CLIA), a new code was assigned to her, instead of old code and because of the assignment of new code, she had been denied the position of supervising 45 LIC agents attached to her earlier. Therefore, she is before this Court seeking direction to the Corporation to attach all those 45 LIC agents attached to her agency earlier and to provide all monetary benefits, etc. arising thereof, by considering her representation, dated 10.02.2021.

4.From the above factual narrative, it could be seen that whether the petitioner is entitled to be restored her old CLIA code or she has to be treated as new CLIA, etc., are all the matters of contractual mutual obligation as between the petitioner and the Corporation. It is entirely within the right of Corporation to regulate its insurance business through their agency and any action taken in this regard by the Corporation can never be a subject matter of adjudication before this Court under Article 226 of Constitution of India. More so, even assuming for a moment that the Writ Petition is maintainable in such matters, the averments, as contained in the affidavit, are too bald and sketchy for this Court to act on that basis and give any direction, as prayed for in this Writ Petition.

5.In fact, the petitioner has not challenged any action of the Corporation, but, only seeks a Writ of Mandamus and the grounds raised in the affidavit are too shallow and did not merit any consideration at all by this Court. The grounds raised in the Writ Petition are extracted hereunder, in order to appreciate, as to how a worthless case the petitioner has come up with:-

"a)The Respondent ought to have provided the earlier CLIA Code once I have attained the status of getting a CLIA Code from debarment.

b)The Respondent ought to have attached at least all those 45 agents which were attached to my earlier CLIA Code M0031-75B to new CLIA Code M0086-75B.

c)The Respondent ought to have looked at my sufferings from not getting the eligible all monetary benefits including appropriate interest."

6.When the affidavit does not contain any specific details governing the relationship between the petitioner and the Corporation and the regulation that govern the relationship, this Court does not think that the Writ Petition could be allowed to engage its attention even for a second.

7.For the above stated reasons, this Writ Petition is dismissed. It is, however, open to the petitioner to work out her remedy, if she is so advised, in a manner known to law against the



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respondent Corporation. No costs. Consequently, connected
miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSIII)

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Sub Assistant Registrar(CS)

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08.03.2021

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