



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD) No.6867 of 2021

A.Kabirtaj

... Petitioner

Vs.

The Senior Divisional Manager,
LIC of India Divisional Office,
Palam Station Road,
Sellur, Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to regularize the petitioner's service based on the representation dated 19.06.2018 within the time frame fixed by this Court.

For Petitioner : Mr.Suresh.M

ORDER

The learned counsel for the petitioner submitted that the petitioner was employed as Assistant on 16.02.1990. He was terminated from service on 31.12.1991. In the meantime, the petitioner worked in the respondent office on temporary basis for a period of 434 days. Thereafter, the union on behalf of all temporary employees filed I.D.No.27 of 1991 before the Central Government Industrial Tribunal, New Delhi. The same is allowed vide order dated 18.06.2001.

2.Aggrrieved over the same, the respondent filed an appal before the High Court, New Delhi. The High Court allowed the appeal. Questioning the same, the petitioner filed Civil Appeal No.6940 of 2019, before the Hon'ble Supreme Court. The Hon'ble Supreme Court allowed the works plea and confirmed Central Government Industrial Tribunal, New Delhi. The petitioner's name is found at Serial No.579 in the industrial dispute application. Hence, the petitioner made representations to the respondent 19.06.2018 and 19.06.2019. Pursuant to the same, the petitioner appeared before the respondent on 28.07.2019. However, the respondent stated in the Industrial Dispute Award the the name in Serial No.579 is K.Mabirtaj but the petitioner's name is A.Kabirtaj. Since the initial is different in the name, the petitioner also produced no objection certificate of



the association dated 24.07.2017. Since the petitioner's representations are not considered, the present writ petition has been filed.

3.Considering the limited prayed as sought for by the petitioner, without going into the merits of the petitioner's case, this Court directs the respondent to consider the petitioner's representation dated 19.06.2018 on merits and in accordance with same and dispose of the same within a period of twelve weeks from the date of receipt of a copy of this order.

4.The writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

The Senior Divisional Manager,
LIC of India Divisional Office,
Palam Station Road,
Sellur, Madurai.

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SDS (23.10.2020) 2P 2C