



WP.Nos.1979 to 1982, 8489
& 8701 of 2016

In the High Court of Judicature at Madras

Dated : 08.8.2023

Coram :

The Honourable Mr.Justice M.DHANDAPANI

Writ Petition Nos.1979 to 1982, 8489 & 8701 of 2016

M.Selva Sathish

...Petitioner in
WP.No.1979 of
2016

G.Karthick

...Petitioner in
WP.No.1980 of
2016

S.Balachandar

...Petitioner in
WP.No.1981 of
2016

M.Sindhan

...Petitioner in
WP.No.1982 of
2016

T.Kalaiarasan

...Petitioner in
WP.No.8489 of
2016

S.Jayaseelan

...Petitioner in
WP.No.8701 of
2016

Vs

1.The Presiding Officer, Central
Government Industrial Tribunal-



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cum-Labour Court, I Floor,
B Wing, No.26, Haddows Road,
Shastri Bhavan, Chennai-6.

2.The Zonal Manager, Life
Insurance Corporation of India,
LIC Building, Anna Salai,
Chennai-2.

...R1 & R2 in
all the WPs

3.The Senior Branch Manager,
Divisional Office I, Life Insurance
Corporation of India, No.25,
Whites Road, Mamatha Complex,
I Floor, Royapettah, Chennai-14.

...R3 in WP.No.
1979 of 2016

4.The Divisional Manager,
Divisional Office II,
Life Insurance Corporation
of India, C47, Anna Plaza,
II Avenue, Chennai-40.

...R3 in WP.Nos.
1980 to 1982 &
8701 of 2016 &
R4 in WP.No.
8489 of 2016

5.The Branch Manager, Life
Insurance Corporation of
India, City Branch Office,
No.10, Anna Salai, Chennai-2.

...R3 in WP.No.
8489 of 2016

PETITIONS under Article 226 of The Constitution of India praying
for the issuance of Writs of Certiorarified Mandamus to call for the
concerned records from the first respondent, quash the awards of the first



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respondent Labour Court respectively (i) in I.D.Nos.81, 84, 83, 82 and 106 of 2014, all dated 27.8.2015 as illegal, arbitrary and contrary to law and consequently direct respondent Nos.2 and 3 to reinstate the petitioners with full back wages, continuity of service and all other attendant benefits (WP.Nos.1979 to 1982 & 8701 of 2016); and (ii) in I.D.No.86 of 2014 dated 27.8.2015 as illegal, arbitrary and contrary to law and consequently direct respondent Nos.2 to 4 to reinstate the petitioner with full back wages, continuity of service and all other attendant benefits (WP.No.8489 of 2016).

For respective Petitioner
in all the WPs : Mr.Balan Haridas

For LIC of India : Mr.C.K.Chandrasekar

COMMON ORDER

These petitions are filed by the respective petitioner seeking to quash the awards all dated 27.8.2015 and to direct the Life Insurance Corporation of India (for short, the LIC of India) to reinstate them into service with full back wages, continuity of service and all other attendant benefits.

2. The facts leading to filing of these cases are as follows :

(i) The petitioners joined in the respondent Corporation in the



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respective branches as Office Assistants/Peons. They had been doing all the sundry works entrusted to them from time to time. They were paid wages on weekly basis. They claimed that they worked for more than 480 days continuously within a period of 24 calendar months and hence, they would be entitled to get permanent status under Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981. While so, to their shock and surprise, they were terminated from service orally on 31.8.2013 without assigning any reason whatsoever.

(ii) Therefore, the petitioners raised individual industrial disputes before the first respondent on the ground that they have a protection under Section 25F of the Industrial Disputes Act, 1947. In those industrial disputes, the LIC of India filed their counters. After contest, the industrial disputes were rejected by the impugned awards, all are of even date. Challenging the same, the petitioners are before this Court.

3. The learned counsel for the petitioners in respective writ petitions submit that similarly placed persons have approached the Hon'ble Apex Court seeking absorption of persons who were engaged by the Life



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Insurance Corporation of India in Miscellaneous Application No.1150 of 2019 in Contempt Petition (Civil) No.1921 of 2017 in Civil Appeal No.6950 of 2009 in the case of Ranbir Singh Vs. SK Roy, Life Insurance Corporation has considered the divergent views expressed in the earlier decisions and has passed the said order. Hence, he prays that the same benefit may be extended to these petitioners to raise claims before the second respondent within the time frame that may be fixed by this Court.

4. The learned counsel appearing for the respondents 2 and 3 submit that if any claim is filed before the second respondent, the same will be considered as per the decision of the Hon'ble Apex Court (*supra*).

5. Heard the learned counsel for the respective petitioner in all the writ petitions and the learned Standing Counsel appearing for the LIC of India in all the writ petitions.

6. In view of the consent expressed by the learned counsel for the petitioners and the learned counsel appearing for the respondents 2 and 3,



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this Court directs the petitioners to make appropriate claims before the second respondent within a period of four (4) weeks from the date of receipt of a copy of this order and upon receipt of such claims, the second respondent is directed to dispose of and pass appropriate orders on the same as per the decision rendered by the Hon'ble Apex Court (*supra*) without being influenced by the impugned orders within a period of eight (8) weeks thereafter.

7. In the result, these writ petitions are disposed in terms of the decision of the Hon'ble Apex Court in the case of Ranbir Singh Vs. SK Roy, Life Insurance Corporation vide order dated 27.04.2022 in Miscellaneous Application No.1150 of 2019 in Contempt Petition (Civil) No.1921 of 2017 in Civil Appeal No.6950 of 2009. There shall be no order as to costs.

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Index : Yes (or) No

Neutral Citation : Yes (or) No

Speaking Order : Yes (or) No



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