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W.P.No.7503 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.7503 of 2023

The Life Insurance Corporation of India,
Rep. by the Regional Manager (Legal & HPF),
Zonal Office, Anna Salai,
Chennai – 600 002.

.. Petitioner

Vs.

1. Government of Tamil Nadu,
rep. by the Chairman,
State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Deputy Secretary to Government,
O/o. State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representations dated 07.03.2022, 20.06.2022, 13.09.2022, 05.12.2022 and 22.02.2023 and verify the Community Certificate Status in respect of the petitioner's employees in accordance with Article 16(4) of the Constitution of India



and inform the community status, within a time frame fixed by this Court.

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For Petitioner : Mr.C.K.Chandrasekhar
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The petitioner has come out with the present Writ Petition for a direction to the respondents to consider the petitioner's representations and verify the Community Certificate status in respect of its employees in accordance with Article 16(4) of the Constitution of India and inform the community status, within the time frame fixed by this Court.

2.The petitioner is a Public Sector Undertaking and follows the principles of reservation policy in appointing its employees. According to the petitioner, number of persons were appointed under Scheduled Caste (SC) / Scheduled Tribe (ST) quota vacancies. Subsequently, a doubt has arisen with regard to genuineness of the community certificates produced by the employees. Hence, the petitioner has referred the certificates produced by the employees to the concerned District Collectors, District Vigilance Committee and State Level Scrutiny Committee. The grievance



of the petitioner is that the said certificates were not verified within a reasonable time and in view of the same, genuine SC / ST candidates are denied their right of appointment. The petitioner has given a list of matters pending before the District Collectors / District Vigilance Committee / State Level Scrutiny Committee in the additional typed set of papers and the same is as follows:

LIFE INSURANCE CORPORATION OF INDIA
RETIRED OR SOON TO BE RETIRED CASES

Sl. No	Name	District	Present Stage
1	V.Kumar	Kancheepuram	Vigilance Cell report received to be placed before SLSC
2	E.Sadasivam	Salem	Addressee not found
3	P.Suseela	Madurai	No such file is pending in section
4	R.Selvaraj	Madurai	Vigilance Cell report Received
5	N.Krishnan	Madurai	Vigilance Cell report Awaited
6	V.Ganesamoorthy	Tuticorin	Proceedings issued
7	T.Padmanabhan	Tirunelveli	No such file is pending is section
8	T.P.Baskaran	Tirunelveli	Proceedings issued
9	G.Vijayanirmala	Madurai	Vigilance Cell report Received to be placed before SLSC
10	L.Krishnan	Erode	Vigilance Cell report Awaited
11	K.C.Ganesan	Kancheepuram	Further report called for
12	S.Jagadeesan	Krishnagiri	No such file is pending in section
13	D.Loganathan	Krishnagiri	Proceedings under submission
14	K.Manoharan	Trichy	Vigilance Cell report awaited
15	M.Santharam	Dindigul	No such file is pending in section



16	M.Murugan	Madurai	Vigilance Cell report Received to be placed before SLSC non-cooperation
17	M.Mallika	Madurai	Vigilance Cell report awaited

ALL THE OTHER CASES

S. No	Name	District	Present Stage
1	C.Vijaya	Madurai	No such file is pending in section
2	J.Alagesan	Salem	No such file is pending in section
3	N.Madhavi	Chennai	Vigilance Cell report received to be placed before the SLSC enquiry
4	Vanitha	Madurai	Vigilance Cell report awaited
5	G.Muthuselvan	Namakkal	Vigilance Cell report awaited
6	P.Pushpalatha	Madurai	No such file is pending in section
7	S.Kasthuriram	Dindigul	Vigilance Cell report awaited
8	P.Selvarajan	Madurai	No such file is pending in section
9	A.Subramanian	Tirunelveli	No such file is pending in section
10	S.Annadurai	Madurai	Vigilance Cell report to placed before the SLSC committee
11	P.Mahendran	Madurai	No such file is pending in section
12	R.K.Saravanan	Salem	Community Certificate awaited
13	S.Geetha	Salem	Vigilance Cell report awaited
14	A.Vijeya Nambiraj	Tirunelveli	Vigilance Cell report awaited
15	S.Youvarani	Thiruvarur	Vigilance Cell report awaited

3.The learned Special Government Pleader appearing for the respondents submitted that in some of the cases, vigilance enquiry was completed and it was placed before the State Level Scrutiny Committee for enquiry. In other cases, report is awaited from the Vigilance Cell and



some of the cases are pending before the District Collector and they will take steps to call for the file and verify the genuineness of the community certificate and initiate proceedings as expeditiously as possible.

4. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the entire materials on record.

5. Considering the above submissions and a reading of the list produced by the learned counsel appearing for the petitioner, it is seen that references made by the petitioner from 1992 is pending before the District Collectors / District Vigilance Committee / State Level Scrutiny Committee for verification, without being any order passed by the Committee. The respondents are legally bound to verify the genuineness of the certificates referred to and pass orders within a reasonable time with regard to status of the community certificate.

6. In view of the submission of the learned Special Government Pleader, the respondents are directed to complete the enquiry on the report received from the Vigilance Cell and pass orders within a period of four weeks from the date of receipt of a copy of this order. The



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respondents are also directed to call for the report from the Vigilance Cell where the reports are pending before the Vigilance Cell and to call for the files from the concerned District Collectors and take appropriate proceedings as expeditiously as possible, within six months from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition is disposed of. No costs.

(V.M.V., J) (V.L.N., J)
17.04.2023

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

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State Level Scrutiny Committee,
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