



W.P.(MD)No.13840 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.13840 of 2018

and W.M.P.(MD) Nos.12575 and 14253 of 2018

P.Gopalakrishnan

... Petitioner

Vs.

1.The United India Insurance Co. Ltd.,
Rep. by its Chairman and Managing Director,
No.24, Whites Road,
Chennai – 600 014.

2.The United India Insurance Co. Ltd.,
Rep. by its Disciplinary Authority,
Chief Regional Manager,
Regional Office, West Veli Street,
Madurai – 600 001.

3.The State Level Caste Scrutiny Committee,
Rep. by its Chairman,
Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai – 9.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the proceedings of the 2nd Respondent made in Ref.No.MDU:RO:MKTG:TERM Order: 01:2018-2019, dated 04.05.2018 and quash the same.

For Petitioner : Mr.R.Murali

For Respondents : Mr.G.Prabhu Rajadurai for R1 & R2

Mr.M.Lingadurai,
Special Government Pleader for R3

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The order of dismissal from service, issued by the second respondent United India Insurance Company Ltd., in proceedings Ref.No.MDU:RO:MKTG:TERM Order: 01:2018-2019, dated 04.05.2018, is under challenge in the present writ proceedings.

2. The Community Certificate issued to the Writ Petitioner was cancelled by the District Collector, since the District Collector found that the certificate was not genuine. The petitioner preferred an appeal before the State Level Scrutiny Committee. Admittedly, the appeal is pending. During the



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pendency of the appeal, the respondents have conducted an enquiry and dismissed the petitioner from service.

3. As of now, the petitioner is not the holder of the Community Certificate issued, through which he secured employment in the respondent organization. Therefore, we do not find any infirmity in respect of the order of dismissal issued by the second respondent. However, the appeal preferred by the petitioner is pending before the State Level Scrutiny Committee. After the disposal of the appeal by the State Level Scrutiny Committee, and if the petitioner succeeds, the petitioner may submit an application to the respondents 1 and 2 for further action. However, at this juncture, there is no reason to interfere with the order impugned.

4. The third respondent, considering the facts and circumstances, is requested to take up the appeal for hearing and accordingly dispose of the same by following the procedures and by affording opportunity to the petitioner as expeditiously as possible.



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5. With these directions, the Writ Petition stands dismissed. No costs.

Consequently, connected Writ Miscellaneous Petitions are closed.

(S.M.S., J.) & (V.L.N., J.)
06.12.2023

NCC : Yes / No
Index : Yes / No
SJ



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V.LAKSHMINARAYANAN, J.

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