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W.P.No.9595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.9595 of 2024

V S S Krishna

... Petitioner

-Vs-

1. The General Manager / First Appellate Authority,
Canara Bank, Chennai Zonal Office,
Leelavathi Building,
First Floor-69,
Armenian Street, Chennai-600 001 (TN).
2. The Assistant General Manager / Central Public-
Information Officer,
Canara Bank, Regional Office,
Salem(Rural) Plot No.15/20,
First Floor, Indira Gandhi Road,
Fairlands, Salem-636 016 (TN)
3. The Senior Divisional Manager,
The Salem Divisional Office,
LIC of India, "Jeevan Prakash"
Johnsonpet, Salem-636 007 (TN)

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned reply Letter Ref. No.29/ROSLM/ LAW/ RTI/ 2022 dated 04.06.2022 which is issued by the



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respondent-02 and quash the same and consequently direct respondents 01 and 02 to submit the Valid Document Proof for their information which is given for the QUERY NO.05 of RTI Ref. No.SYNDB/ R/ E/ 20/ 00145 dated 05.03.2020 and QUERY NO.05 of First Appeal Ref. No.SYNDB/A/E/ 20/ 00058 dated 11.04.2020.

For Petitioner : Mr.V.S.S.Krishna (P-in-P)
For R1 and R2 : Mr.Raghunathan
for M/s T.S.Gopalan and Co
For R3 : Notice served, No appearance

ORDER

This writ petition has been filed challenging the reply dated 04.06.2022, issued by the second respondent, thereby rejected the application submitted by the petitioner under Section 6(1) of the Right to Information Act, 2005 seeking some informations.

2. Heard the perused the materials available on record.

3. The petitioner worked as Financial Services Executive as contractual employee in Life Insurance Corporation of India (hereinafter called as “LIC”) and he was additionally allotted for the Salem South



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Branch and Mettur Dam Branch for the Bancassurance and Alternate Channel Department which comes under the control of Salem Divisional Office, Salem. He had joined in the LIC on 09.05.2012 and the petitioner was terminated from service on 25.01.2018. The petitioner had received remuneration and incentive directly from LIC. At the same time, the bank gets the Commission/Renewal Commission/Cash Award/Bima Bank Status/Gifts for the policies which completed in their agency from LIC directly. Usually, the policies bond was printed in LIC office and it will be delivered to bank. In the month of June, 2014 onwards, LIC had implemented the “Service Tax” for their own products and the bond copies in the Footer path they printed the Agent/Agency details. The petitioner's privacy data like his name and mobile number were printed in the footer path of the bond copies.

4. According to the petitioner, he is not the Agent of LIC and he is not coming under the Agent Category. He is only a contractual employee of LIC. Therefore, the petitioner sought for information under the Right to Information Act and the same was rejected by the Information Officer



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i.e., the second respondent. Aggrieved by the same, the petitioner preferred an appeal before the first respondent and the same was also rejected. Without filing any appeal before the second appellate authority, viz., the Central Commissioner, once again the petitioner submitted an application before the second respondent and sought for the following informations:-

“ Now give me the document which is proved your CPIO RTI information/Reply.

I have full rights to examine the document in which basis he mentioned the information because he share the reply with me only.... and your zonal manager M.Prasad also approved your CPIO reply.

Give me the document proof which prove your CPIO RTI reply Ref No:SYNB/R/E/20/00145 Receipt Date:05.03.2020 Reply Date:04.04.2020 within 1 month of date of the receipt of this letter.

OR

Settle me the compensation of Rs.50.Lakhs as a out of Court settlement.

If you are not ready to prove your CPIO RTI information or settle the Rs.50 Lakhs of Compensation means then I will file the writ petition against Canara Bank Salem RO in Honorable High Court of Madras and I will claim Rs.1 Crore compensation.”

5. By the reply dated 04.06.2022, it was rejected and the second respondent also categorically mentioned about the appeal as against the rejection order dated 04.06.2022, within a period of 30 days before the



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first appellate authority. However, the petitioner without approaching the first appellate authority, straightaway invoked this writ petition under Article 226 of Constitution of India.

6. A perusal of the information sought for by the petitioner revealed that the petitioner also sought for compensation of Rs.50 Lakhs from the Information Officer. A perusal of records also revealed that the second respondent is a successor in interest of Syndicate Bank, which was also a nationalized bank and which got merged with the Canara Bank. The erstwhile Bank had tied up with the LIC for marketing of its products to the customers of the Syndicate Bank. The petitioner had been engaged by the LIC as financial services executive and the Syndicate Bank was a corporate agent of the LIC. The petitioner canvassed the customers of the Syndicate Bank, while collecting and filling up the proposals as that the LIC issued policies/bonds to hand over the same to the customers. The policies and bonds were printed by the LIC on the basis of proposals canvassed and filled up by the petitioner and sent to the customer directly. Therefore, the Bank has no say or role in printing



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the policies/bonds. The grievance of the petitioner is that the LIC terminated his contract illegally. The further grievance of the petitioner is that the policy should show the number of agent and name of the agent to be Syndicate Bank, some of the policies were showing the name of the petitioner as agent of LIC and his mobile number. Therefore, the customers directly contact the petitioner and asking questions and also sought for services as if he was the agent of LIC. Therefore, it caused prejudice to him. It is in this context that the petitioner applied to the second respondent under the Right to Information Act seeking information on several matters including the reason as to why his name was being shown as the agent of LIC. Therefore, the grievance of the petitioner cannot be set right by providing information under the Right to Information Act.

7. If at all the petitioner is interested about the compensation by using his name as agent of LIC, he has to suo as against LIC and not as against the second respondent.



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8. In view of the above, the application submitted by the petitioner was rightly rejected by the second respondent and this Court finds no infirmity or illegality in the order passed by the second respondent and the writ petition is devoid of merits and is liable to be dismissed.

9. Accordingly, this writ petition stands dismissed. No costs.

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Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J.

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To

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