



WEB COPY



W.A.Nos.205 of 2013 & 1468 of 2000

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM :  
**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**  
**AND**  
**THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

**W.A.Nos.205 of 2013 and 1468 of 2000**  
**and**  
**M.P.Nos.01 of 2013 & C.M.P.No.12895 of 2000**

Insurance Corporation Employees' Union,  
Regd.No.2360/MDS,  
Represented by its General Secretary,  
93, Anna Salai, Chennai - 600 002. ... Appellant in W.A.No.205 of  
2013

Life Insurance Corporation of India,  
Represented by the Chairman, LIC Building, Anna Salai,  
Chennai - 2.

The Senior Divisional Manager,  
LIC of India, Madras Divisional Office,  
Jeevan Prakash, Bridge Station Road,  
Sellur, Madurai. ... Appellants 1 & 2 in W.A.No.1468  
of 2000

Vs.

S.Geetha

The Life Insurance Corporation of India,  
Represented by its Chairman, LIC Buildings,  
Anna Road, Madras - 2.

The Senior Divisional Officer,



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Life Insurance Corporation of India,  
Madras Divisional Office, 'Jeevan Prakash',  
Bridge Station Road, Sellur, P.B.No.16,  
Madurai - 625 002.

The Union of India,  
Represented by the Secretary to Government,  
Home Department,  
New Delhi.

... Respondents 1 to 4 in W.A.No.205 of  
2013

S.Geetha

The Union of India,  
Represented by the Secretary to Government,  
Home Department,  
New Delhi.

... Respondents 1 & 2 in W.A.No.1468 of  
2013

**Common Prayer:** Writ Appeals filed under Clause 15 of Letters Patent to set  
aside the order dated 17.08.2000 passed in W.P.No.17306 of 1993.

|                |                                                                                |
|----------------|--------------------------------------------------------------------------------|
| For Appellants | : Mr.K.Srinivasamoorthy<br>for M/s.Row and Reddy [in both W.A's]               |
| For R1         | : Mr.R.Singaravelan<br>Senior Counsel [in both W.A's]<br>for Mr.V.S.Jagadeesan |
| For R2 to R4   | : Mr.D.Muthukumar [in both W.A's]                                              |

### **COMMON JUDGMENT**

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

The intra-court appeals on hand have been instituted challenging the  
writ order dated 17.08.2000 in W.P.No.17306 of 1993.

2. The first respondent instituted the writ proceedings seeking for



writ of mandamus directing the respondents 1 and 2 to produce the records including mark sheet before this Court and consequently select the first respondent/writ petitioner to the post of Assistant under the quota prescribed for Backward Class Community.

3. Mr.R.Singaravelan, learned Senior Counsel appearing on behalf of the first respondent would oppose by stating that the first respondent/Mrs.S.Geetha, also belongs to Backward Class Community. In the event of providing reservation based on the Office Memorandum dated 20.08.1990, the first respondent would have been included under the quota. Since the Selection Committee considered the Office Memorandum, the first respondent was not selected. The writ court has considered these aspects and the Authorities have prepared the Selection List in an arbitrary manner. Therefore, the relief granted by the writ court is to be confirmed.

4. The learned Single Judge in para.10 of the Judgment has made an observation that the relief as such sought for by the first respondent in the writ petition cannot be granted to the first respondent/writ petitioner, since she has no proof to show that she got sufficient marks in the interview, for



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selection and for appointment to the post of Assistant. Accordingly, the writ court held that the direction asked for by the first respondent in the writ petition cannot be granted. After forming an opinion that the first respondent/writ petitioner is not entitled for the relief as such sought for in the writ petition, the learned Single Judge in para.11 has quashed the entire recruitment notification and the consequential selection of 1950 candidates. Admittedly, none of these candidates were impleaded as parties nor their selection and appointment has been challenged in the writ petition. That being so, the writ court has erroneously exercised the powers of Judicial Review, which caused prejudice to the interest of the selected candidates in the process of selection. Thus, the order impugned is infirm. Consequently, the writ order dated 17.08.2000 made in W.P.No.17306 of 1993 is set aside and the Writ Appeals stand **allowed**. No costs. Connected miscellaneous petitions are closed.

[S.M.S., J.] [C.K., J.]  
18.07.2024

Index : Yes/No  
Speaking Order : Yes/No  
Neutral Citation : Yes/No  
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To

1. The Life Insurance Corporation of India,  
Represented by its Chairman,  
LIC Buildings,  
Anna Road,  
Madras - 2.
2. The Senior Divisional Officer,  
Life Insurance Corporation of India,  
Madras Divisional Office, 'Jeevan Prakash',  
Bridge Station Road,  
Sellur, P.B.No.16,  
Madurai - 625 002.
3. The Union of India,  
Represented by the Secretary to Government,  
Home Department,  
New Delhi.



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W.A.Nos.205 of 2013 & 1468 of 2000

**S.M.SUBRAMANIAM, J.**  
**AND**  
**C.KUMARAPPAN, J.**

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Judgment in  
W.A.Nos.205 of 2013 and 1468 of 2000

18.07.2024  
(2/2)