



W.P.(MD)No.12802 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2024**

CORAM:

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

W.P.(MD)No.12802 of 2023

and

W.M.P.(MD)Nos.10813, 10814 and 10815 of 2023

Sathibama S

... Petitioner

/Vs./

1. The Deputy Divisional Manager -I,
Directorate of Postal Life Insurance,
Department of Posts, Ministry of
Communications and Information Technology,
Government of India, Chanakyapuri Post Office Complex,
New Delhi – 110 021.
2. The Chief Postmaster General
O/o.The Chief Postmaster General,
Tamil Nadu Circle, Chennai - 600 002.
3. The Deputy Divisional Manager (PLI)
O/o.The Chief Postmaster General,
Tamil Nadu Circle, Chennai - 600 002.
4. The Superintendent of Post Offices,
Dindigul Division,
Dindigul - 624 001.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorari to call for the records pertaining to the



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impugned order in No.L1/10-16/DA/TT/2019 dated at Chennai 600 002 the 13.04.2023 on the file of the third respondent and the consequential impugned order in No.PLI-RPL1/Direct Agent/2023-2024 dated 18.04.2023 on the file of the respondent No.4 and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar
for M/s.Lajapathi Roy and Associates

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India
Assisted by Mr.H.Velavadass
Senior Panel Counsel

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent dated 13.04.2023, thereby terminating the licence of agency, on the ground that her husband is working as Development Officer of Dindigul Division, which is violation of the guidelines dated 31.08.2020.

2. Heard the learned counsel on either side and perused the materials available on record.



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3. The petitioner was engaged as Direct Agent to procure Postal Life Insurance / Rural Postal Life Insurance for Thoothukudi Division by the fourth respondent and she was issued licence in the year 2019. Her husband is working as a Group Leader-14 / Development Officer of the Dindigul Division. As per the guidelines issued vide letter dated 14.02.2019 of the first respondent, there is no bar for the spouse of Group Leader to become a Direct Agent / Sales Force. However, by the subsequent guidelines vide letter dated 31.08.2020, in order to avoid conflict of interest, members of family of Development Officer are not allowed to procure Postal Life Insurance / Rural Postal Life Insurance and claim the incentives. Therefore, the licence of the petitioner's Agency was terminated. Only ground taken by the petitioner is that subsequent guidelines dated 31.08.2020 was issued and came into effect only from 01.07.2020, whereas the petitioner's licence was issued on 15.10.2019 and the prevailing guidelines dated 14.02.2019 would only apply the case of the petitioner. That apart, the petitioner was never issued any notice before termination of her Agency.



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4. On perusal of the counter filed by the fourth respondent and submissions made by the Deputy Solicitor General of India, it revealed that originally the petitioner was issued licence for her Agency for Tuticorin Division on 15.10.2019. Now, she is working as Direct Agent in Dindigul Division. The petitioner's husband, viz., P.Chinnadurai, is working in Dindigul District as Development Officer. When her husband was working as Development Officer in Tuticorin District, the petitioner got licence of Agency. After her husband transferred to Dindigul District, she also got transferred to Dindigul Division. As per clarification letter dated 31.08.2020, issued by the Directorate of Postal Life Insurance, New Delhi, in continuation on 19.06.2020 implemented in circles with effect from 01.07.2020. Now, the petitioner's husband transferred to some other place and he is not working as Development Officer, in order to avoid conflict of interest, members of family of Development Officer are not allowed to procure Postal Life Insurance / Rural Postal Life Insurance business and claim incentives. In pursuant to the clarification from the Directorate of Postal Life Insurance, New Delhi, the fourth respondent was intimated to terminate the licence of the



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petitioner by the communication dated 13.04.2023. Accordingly, the licence of her Agency was cancelled.

5. Therefore, this Court finds no infirmity or illegality in the order of termination of her licence of Agency. In view of the above, this Writ Petition is dismissed. However, since the petitioner's husband is not working as Development Officer, the petitioner is at liberty to apply afresh for her agency and on receipt of the same, the respondents are directed to consider the same and pass orders on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.12.2024

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
LS

TO:-

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Dindigul - 624 001.

Order made in
W.P.(MD)No.12802 of 2023

Dated:
02.12.2024