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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**  
AND  
THE HONOURABLE MR.JUSTICE **K.SURENDER**

Writ Appeal No. 1966 of 2025

A. Duraimohan

... Appellant

Vs.

1. The Senior Divisional Manager,  
Life Insurance Corporation of India,  
Divisional Office,  
Vellore, Vellore District.

2. The Regional Manager (P& IR)  
LIC of India,  
No.153, Anna Salai,  
Chennai 600 002,  
Tamilnadu

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside  
the order passed in WP No. 18140 of 2018 dated 06.02.2025.

For Appellants : Mr.P.R.Thiruneelakandan

For Respondents : Mr.C.K.Chandrasekar



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J U D G M E N T*(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)*

The challenge is to the order of the learned Single Judge made in WP No.18140 of 2018.

2. The appellant was a temporary worker in the Life Insurance Corporation of India, after a prolonged litigation which had a chequered history, the Hon'ble Supreme Court on 18.03.2015 passed an order affirming the award of the Central Government Industrial Tribunal directing regularisation of the services of these workers. This order was subject to Review as well as Curative Petitions. After the dismissal of the Review and the Curative Petitions, a Contempt Petitions was filed in Contempt Petition (C) No.459 of 2015 before the Hon'ble Supreme Court and the Hon'ble Supreme Court directed implementation of the judgment dated 18.03.2015. However, it modified the award relating to payment of back wages to 50%.

3. It is not in dispute that pursuant to the said order, the Life Insurance Corporation of India on 16.10.2017 offered to regularise the services of the appellant and issued an appointment order. The appellant

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did not choose to join and raised issues relating to place of appointment as well as back wages. This led to the cancellation of the appointment by Life Insurance Corporation of India on 14.02.2018. The cancellation was subject matter of challenge in the Writ Petition. Unfortunately for the appellant, the Hon'ble Supreme Court revisited the judgment dated 18.03.2015 in ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr.***, in Civil Appeal No.6950 of 2009 and by a judgment dated 27.04.2022 held that a public employer such as LIC cannot be directed to carry out a mass absorption of over 11,000 workers which would be against the principles of equality of opportunity governed by Articles 14 and 16 of the Constitution of India. The Hon'ble Supreme Court also issued a slew of directions and they are enumerated as follows in paragraph 75 of the judgment of the Hon'ble Supreme Court:

*“75 The dispute is now of an antiquity tracing back to nearly four decades. Finality has to be wrung down on the dispute to avoid uncertainty and more litigation. Nearly thirty-one years have elapsed since 1991. We have come to the conclusion that the claims of those workers who are duly found upon verification to meet the threshold conditions of eligibility should be resolved by the award of monetary compensation in lieu*



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*of absorption, and in full and final settlement of all claims and demands. Thus, this Court directs the following:*

*(i) A fresh verification of the claims of workers who claim to have been employed for at least 70 days in Class IV posts over a period of three years or 85 days in Class III posts over a period of two years shall be carried out;*

*(ii) The verification shall be confined to persons who were working between 20 May 1985 and 4 March 1991;*

*(iii) All persons who are found to be eligible on the above norm shall be entitled to compensation computed at the rate of Rs 50,000 for every year of service or part thereof. The payment of compensation at the above rate shall be in lieu of reinstatement, and in full and final settlement of all claims and demands of the workers in lieu of regularisation or absorption and notwithstanding the directions issued by this Court in TN Terminated Employees Association (supra);*

*(iv) In carrying out the process of verification, the Committee appointed by this Court shall not be confined to the certified list before the CGIT and shall consider the claims of all workers who were engaged between 20*



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*May 1985 and 4 March 1991;*

*(v) For the purpose of verification, LIC shall make available all the records at the Divisional level to the Committee appointed by this Court;*

*(vi) It will be open to the workers concerned or, as the case may be, the Unions and Associations representing them, to make available such documentary material in their possession for the purpose of verification;*

*(vii) The process of verification shall be carried out independently without regard to the Dogra Report, which is held to be flawed;*

*(viii) The payment of compensation in lieu of reinstatement shall be effected by LIC within a period of three months from the date of receipt of the report of verification by the Committee; and*

*(ix) The task of verification shall be carried out by a Committee consisting of:*

*(a) Mr Justice P K S Baghel, former Judge of the Allahabad High Court; and*

*(b) Shri Rajiv Sharma, former District Judge and member of the UPHJS.*

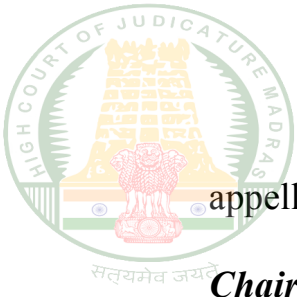


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4. The learned Single Judge who heard the Writ Petition filed by the appellant challenging the order of withdrawal of appointment concluded that by not accepting the offer of appointment made in the year 2017, the appellant had virtually abandoned the appointment. In view of the subsequent pronouncement of the Hon'ble Supreme Court in ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr.***, which also related to temporary employees recruited between 20.05.1985 and 04.03.1991, held that the appellant would be entitled to only compensation as has been directed to be paid in ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr.*** On the said conclusion, the Writ Court dismissed the Writ Petition. Aggrieved the appellant has come up with this Appeal.

5. We have heard Mr.P.R.Thiruneelakandan, learned counsel appearing for the appellant.

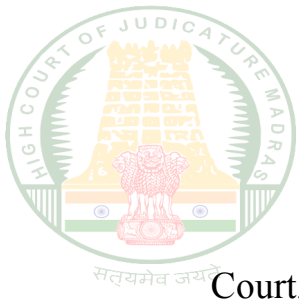
6. Mr.P.R.Thiruneelakandan, learned counsel appearing for the



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appellant would vehemently contend that ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr***, cannot be applied to the appellant, who is covered by the orders dated 18.03.2015. According to him, ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr***, would apply only to those persons, who were not offered appointment. He would further point out that in ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr***, the Hon'ble Supreme Court has not interfered with the earlier pronouncement.

7. We are unable to agree with the contentions of the learned counsel in fact ***Ranbir Singh Vs. SK Roy, Chairman, Life Insurance Corporation of India & Anr***, particularly in sub paragraph (iii) of Paragraph 75, the Hon'ble Supreme Court has held that the temporary employees, who are found eligible on a verification to be conducted regarding the number of days of work done by them would be entitled to only compensation notwithstanding the directions issued by this Court in ***Tamil Nadu Terminated Employees Association*** viz. the judgment dated 18.03.2015.

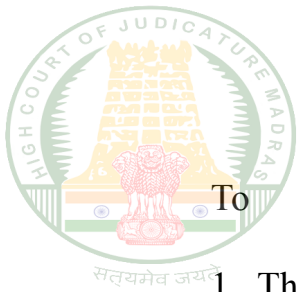


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8. In view of the subsequent pronouncement of the Hon'ble Supreme Court, the appellant has lost his right to seek reemployment or regularisation. He would only be entitled to the compensation that was directed to be paid in lieu of regularisation. Hence we see no merit in the Appeal, the Writ Appeal fails and it is accordingly **dismissed**. There shall be no order as to costs.

(R.SUBRAMANIAN, J.) (K.SURENDER, J.)  
04.07.2025

jv  
Internet : Yes  
Index : No  
Neutral Citation : No  
Speaking order



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To

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Life Insurance Corporation of India,  
Divisional Office,  
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**R.SUBRAMANIAN, J.**  
**and**  
**K.SURENDER, J.**



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