

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

Coram

THE HON'BLE Mr.JUSTICE M.M.SUNDRESH

W.P.No.26232 of 2013

J.LAKSHMI

[PETITIONER]

Vs

NEW INDIA INSURANCE COMPANY LTD.,
REP. BY ITS MANAGER
NO.202-204 2ND FLOOR
MAHATMA GANDHI ROAD
PUDUCHERRY.

[RESPONDENT]

Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to direct the respondent herein to process and sanction the claim of insurance amount of Rs.5,50,270/- as per the Bill and Tax Invoices dated 19.7.2012 and Bill dated 12.6.2013 issued by Rajarajan @ Sons Authorized Mahindra & Mahinder Dealer at Puducherry in respect of the petitioners vehicle namely Scorpio Car bearing Registration No. PY-01-BF 4673 pursuant to the Private Car Package Policy No. 71100131110100005728 and pay the insurance amount to the petitioner.

For petitioner .. Mr.G.Jermiah
for Mr.B.Namiselvan

For Respondents.. Mr.Radha Krishnan
for Mrs.R.Radhadevi

O R D E R

It is seen that premium amount has been paid for the vehicle belonging to the petitioner's husband, after his death by the petitioner herein.

2.The petitioner's husband died on 10.07.2011 and the last premium was paid on 16.12.2011. The vehicle met with an accident on 13.07.2012 i.e. after the payment of premium amount. Claiming compensation from the Insurance Company, the petitioner made a request, followed by a legal notice. On its non consideration, the

petitioner has come forward with the present Writ Petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the respondent to give a suitable reply to the legal notice dated 17.07.2013.

4.Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the case and based on the averments made in the affidavit, the respondent is directed to give a reply to the legal notice dated 17.08.2013, issued on behalf of the petitioner, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that no opinion is expressed by this Court on the merits of the case or the claim of the petitioner. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

rpa

To

The Manager,
NEW INDIA INSURANCE COMPANY LTD.,
NO.202-204 2ND FLOOR
MAHATMA GANDHI ROAD
PUDUCHERRY.

+1 cc to M/s.S.Radhakrishnan, Advocate, sr.48875

+1 cc to M/s.B.Nambiselvan, Advocate, sr.48781

W.P.No. 26232 of 2013

rsi co
kra 28/09

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