



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :18.08.2015
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

WEB COPY

W.P(MD).No.14211 of 2015

C.Rajamani ... Petitioner

Vs.

1.The Divisional Manager,
Life Insurance Corporation of India Ltd.,
Madurai Region,
Madurai, Madurai District.

2.The Branch Manager,
Life Insurance Corporation of India Ltd.,
Devakottai Branch,
Sivagangai District.

... Respondents

This Writ Petition has been filed praying for a Writ of Mandamus directing the respondent Nos.1 and 2 herein to disburse the Insurance amount for the policy bearing Nos.743884698, 743884699, 745549720, 746473929 for the death of the petitioner's son namely(late) C.R.Rajakumar, on the basis of the petitioner's claim petition dated 16.06.2015 within a stipulated time.

For petitioner : Mr.A.Muralikumar
For R-1 & R-2 : Mr.C.Godwin

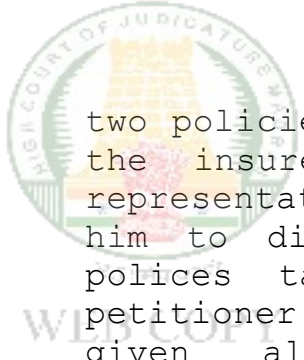
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent Nos.1 and 2 herein to disburse the Insurance amount for the policy bearing Nos.743884698, 743884699, 745549720, 746473929 for the death of the petitioner's son namely(late) C.R.Rajakumar, on the basis of the petitioner's claim petition, dated 16.06.2015, within a stipulated time.

2. Mr.C.Godwin, learned counsel takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. The case of the petitioner is that the petitioner's son Rajakumar died in a road accident that occurred on 18.05.2015. The said Rajakumar took four insurance policies bearing policy Nos.743884698, 743884699, 745549720, 746473929. In all the above said four policies, the petitioner's son nominated the petitioner as nominee. The said Rajakumar has also taken another two policies bearing Nos.747669451, 747663977, in the name of his wife(ie) the daughter-in-law of the petitioner. In respect of the above said



two policies, the daughter-in-law of the petitioner is entitled to the insured amount of Rs.7,00,000/-. The petitioner made a representation to the second respondent on 16.06.2015 requesting him to disburse the insurance amount in respect of the four policies taken by the petitioner in which the name of the petitioner was mentioned as nominee. The said representation was given along with original bonds, death certificate, first information report, postmortem report and police inquest report. The second respondent gave a claim Form -A. After that, the petitioner had produced Claim Form - A and claimant statement to the second respondent on 17.06.2015. In spite of the same, the amount was not disbursed to the petitioner. Hence, the petitioner has come forward with this petition for the above stated relief.

5. Today when the matter is taken up for consideration, the learned counsel for the Insurance Company submitted that earlier the daughter-in-law of the petitioner Deepalakshmi filed a Writ Petition in W.P(MD)No.10416 of 2015. In the said Writ Petition, this Court has given a direction to the Insurance Company to conduct enquiry in respect of the representation given by the daughter-in-law of the petitioner. In pursuant to the said direction, while conducting enquiry, the insurance company has given notice to the daughter-in-law of the petitioner as well as the petitioner. Though the daughter-in-law of the petitioner appeared for enquiry, the petitioner has not chosen to appear for enquiry. If the petitioner appears for enquiry, his claim would be considered.

6. In view of the submission made by the learned counsel for the Insurance Company that the Insurance Company has chosen to conduct enquiry pursuant to the order of this Court, dated 25.06.2015 passed in W.P(MD)No.10416 of 2015 and in the said enquiry, the claim of the petitioner will also be considered, the first respondent is directed to send a fresh notice to the petitioner herein and on receipt of the said notice, the petitioner is directed to attend the enquiry. The respondent is also directed to pass orders on the representation of the petitioner, dated 16.06.2015 based on the said enquiry by affording opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

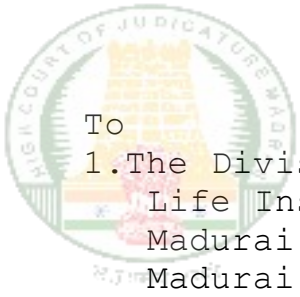
Sd/-

Assistant Registrar(CO)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

1.The Divisional Manager,
Life Insurance Corporation of India Ltd.,
Madurai Region, Madurai,
Madurai District.

2.The Branch Manager,
Life Insurance Corporation of India Ltd.,
Devakottai Branch,
Sivagangai District.

+1cc to MR.A.MURALI KUMAR, Advocate Sr.No 47834

+1cc to MR.C.GODWIN, Advocate Sr.No 47658

JAM/SKS-RR/SAR-PA/3.9.15/3P-5C

W.P (MD) .No.14211 of 2015
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