



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P. (MD) No.5709 of 2013

Rajamani

... Petitioner

Vs.

The Branch Manager,
United India Insurance Company Ltd.,
Marthandam,
Kanyakumari District.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to dispose of the petitioner's representation dated 26.11.2012 sent for the disbursement of policy amount due as per the Policy No.091601/11/09/11/00000840 within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

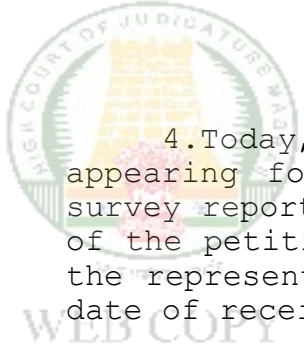
For Respondent : Mr.G.Prabhu Rajadurai

ORDER

This Writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to dispose of the petitioner's representation dated 26.11.2012 for the disbursement of policy amount due as per Policy No.091601/11/09/11/00000840, within a time frame.

2.The case of the petitioner is that the petitioner was running a furniture mart namely, Sriram Furniture Mart and Saw Mill and he had invested Rs.50 lakhs for the said business. The petitioner raised a loan for a sum of Rs.8 lakhs in Canara Bank, Kulasekaram Branch and at the time of raising loan, an insurance policy has also been taken for a sum of Rs.25 lakhs with the respondent in Policy No.091601/11/09/11/00000840 for movable and immovable properties in the said furniture business. As per the policy agreement, in case, if any damage or loss incurred due to accident or any other circumstances, the respondent has to pay the insurance amount.

3.The grievance of the petitioner is that on 08.07.2010 at about 8.00 am certain anti-social elements had entered upon the business premises of the petitioner and caused damages to the tune of Rs.50 lakhs by destroying the entire furniture and other goods. The petitioner lodged a complaint and based on the complaint, a case has been registered. Thereafter, the petitioner made several representations, including the representation dated 26.11.2012 to the respondent, requesting them to disburse the policy amount as per the agreement of the policy. However, the same was not considered by the respondent so far. Hence, the petitioner has filed the present Writ petition for the aforesaid relief.



4.Today, when the matter is taken up for hearing, the learned counsel appearing for the respondent submitted that the respondent has received survey report in this regard to the damage caused in the business premises of the petitioner and that the respondent would pass appropriate orders on the representation of the petitioner, within a period of 2 weeks from the date of receipt of a copy of this order.

5.Recording the submission of the learned counsel appearing for the respondent, the Writ petition is closed. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Branch Manager,
United India Insurance Company Ltd.,
Marthandam,
Kanyakumari District.

+1cc to M/S. Hallmark Associates, Advocate in SR.No 44494

TS/10.08.2015/2P - 3C AMF/SAR -II

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