

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.9167 of 2013

R.Poongodi

.. Petitioner

Vs.

1.The Divisional Manager,
L.I.C. of India,
Divisional Office,
Idascudder Road,
Vellore.

2.The Branch Manager,
L.I.C of India,
86, Palanisami Street,
Gandhipet,
Tirupattur-635 601.

3.Bagiyam

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the first and the second respondents, not to disburse the maturity amount, vide policy No.710819739, to the third respondent and consequently, to direct the first and the second respondents to disburse the maturity amount to the petitioner, based on the petitioner's representation, dated 28.11.2011.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.T.Muruganantham for RR1 and 2
Mr.E.Kannadasan for R-3

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ORDER

Heard.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the first and the second respondents not to disburse the maturity amount, bearing policy No. 710819739, to the third respondent and to consequently direct the first and the second respondents to disburse the said amount to the petitioner, based on her representation, dated 28.11.2011.

3 It is not in dispute that the petitioner has filed the present writ petition, claiming that she is the wife of the policy holder, namely, late Ravi, who was working, as the Postmaster, in the Post Office, at Valaiyamapattu village. He had died, on 20.11.2010. Even though the petitioner had submitted a representation to the first and the second respondents, dated 28.11.2011, requesting them not to disburse the maturity amount to her mother-in-law, the mother-in-law of the petitioner is attempting to get the money, relating to the L.I.C. Policy No.710819739. In such circumstances, the petitioner has preferred the present writ petition before this Court, under Article 226 of the Constitution of India.

4 The learned counsel appearing on behalf of the first and the second respondents had submitted that the said late Ravi, who had taken a L.I.C. Policy, bearing No.710819739, had died, on 20.11.2010. He had given the name of Bagiyam, said to be the mother-in-law of the petitioner, as the nominee. As per the terms and conditions of the policy and as per the regulations, governing the Life Insurance Corporation of India, the amount, relating to the policy bearing Policy No.710819739, cannot be disbursed to the petitioner. It can only be disbursed to the nominee, namely, Bagiyam, the third respondent herein.

5 In view of the said submissions made by the learned counsel appearing on behalf of the first and the second respondents and on a perusal of the records available, this Court is of the view that the relief prayed for by the petitioner, in the present writ petition, cannot be granted. It is clear that the amount, relating to the L.I.C. Policy, bearing policy No.710819739, ought to be disbursed only to the nominee, as per the terms and conditions of the policy and the regulations, governing the Life Insurance Corporation of India. As such, the writ petition is liable to be dismissed. Hence, this writ petition is dismissed. No costs.

सत्यमेव जयते
sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

+1 cc to Mr.E.Kannadasan,advocate,sr.52360

+1 cc to M/s.T.Murugananthan,advocate,sr.52689.

nr(cO)
krd 19/9

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