

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.25056 of 2017
and
W.M.P.No.26462 of 2017

Raaj Internet India Pvt Ltd.
rep. by its Director M.Raajhendhran
High Gate, 153 E,
Santhome High Road, R.A.Puram
Chennai,
Tamil Nadu - 600 028 ... Petitioner

Vs.

1. United India Insurance Company Limited
Branch Office 010702
No.134, Siling Building,
1st Floor, Grems Road,
Chennai-600 006.
2. M/s. canara bank,
Teynampet branch,
Branch code is 000416
No.563 1, Anna Salai,
Ground Floor,
Teynampet,
Chennai-18. ... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 1st respondent to disburse a sum of Rs.3.42 crores as per the final Survey Report in lieu of the claim for issuance against Police No.0107021116p109540608 made by the petitioner as expeditiously as possible.

For Petitioner : Mr.S.T.S.Murthi,
Additional Advocate General
Senior Counsel for/
Mr.Naveen Kumar Murthi

For Respondents : Mr.M.B.Raghavan
Standing Counsel for R1.

O R D E R

Heard, Mr.S.T.S.Murthi, learned Additional Advocate General appearing for the petitioner and Mr.M.B.Raghavan learned Standing counsel appearing for the 1st respondent.

2. Since the relief sought for in this writ petition is directed only against the 1st respondent, notice to the 2nd respondent is dispensed with.

3. It is seen that the petitioner has made some insurance claim from the 1st respondent to the tune of Rs.3.42 crores based on the insurance policy No. 0107021116P109540608. The grievance of the petitioner is that such request has not been considered by the 1st respondent so far. Therefore, the petitioner has filed the present writ petition with the relief as stated supra.

4. Today, after notice, when the matter is taken up for further hearing, the learned counsel for the 1st respondent filed a memo dated 12.10.2017 wherein it is stated as follows:

1. The petitioner has lodged claim under Policy No.0107021116P109540608, for damage during Vardah Cyclone.

2. In view of the quantum of claim, the final decision has to be taken by the Head Office of the 1st respondent.

3. Due to certain administrative exigencies the claim is pending consideration and final decision on the claim could not be taken or communicated to the petitioner.

4. The 1st respondent prays that twelve weeks time from date of receipt of order copy may be granted to them to communicate their decision on the claim to the petitioner and the Writ Petition may be closed recording this Memo in the interests of justice.

5. Since the petitioner's claim is to be considered by the 1st respondent who in turn has filed the above memo before this Court indicating that the final decision has to be taken by the Head Office of the 1st respondent and thus, they must be granted twelve weeks time for taking a decision and communicate the same to the petitioner, this writ petition is disposed of without expressing any view on the merits of the contentions raised by either parties only with a direction to the 1st respondent to take a final decision on the petitioner's claim and pass orders on merits and in accordance with law and communicate the same to

them within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-vi)

//True Copy//

Sub Assistant Registrar

vsi

To

1. United India Insurance Company Limited
Branch Office 010702
No.134, Silingi Building,
1st Floor, Greams Road, Chennai-600 006.

2. M/s. Canara bank,
Teynampet branch,
Branch code is 000416
No.563 1, Anna Salai,
Ground Floor, Teynampet,
Chennai-18.

+1cc to Mr.M.B.GOPALAN ASSO. Advocate, S.R.No.73548
+1cc to Mr.NAVEENKUMAR, Advocate, S.R.No. 73954

W.P.No.25056 of 2017

GMI (CO)
TR(01/02/2018)

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