

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.18357 of 2013

ORDER:

This Writ Petition is filed declaring the action of the 3rd respondent in cancelling death certificate issued to the petitioner's daughter without any notice and without serving the same as illegal, arbitrary and unjust and consequently direct the respondents to issue death certificate of 1st daughter to the petitioner and also direct the 4th and 5th respondents to release the claim amounts under policy and to pass such other order or orders as this Court deems fit and proper in the circumstances of the case.

2. The case of the petitioner is that, without following the principles of natural justice, death certificates which were issued in favor of the petitioner pertaining to 1st and 2nd daughters of the petitioner who died on 19.5.2006 and 16.6.2012 respectively, the death certificates were cancelled without issuing any notice which caused hindrance in claiming insurance benefits from the 4th and 5th respondents.

3. The cancellation orders passed are one without jurisdiction and also in violation of principles of natural justice. In view of the same, this Writ Petition is allowed setting aside cancellation orders with a direction to the respondents to issue death certificate of 1st daughter to the petitioner and further the 4th and 5th respondents are directed to release the claim amounts under policy.

Pending Miscellaneous Petitions, if any, shall stand closed.

JUSTICE T. AMARNATH GOUD

Dated:31-12-2018
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