

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.30733 of 2004
and WP.MP.No.37226 of 2004

Dr.S.Manimegalai

..Petitioner

Vs

1. The Chairman,
Life Insurance Corporation of India,
Yogalshana,
Jeevan Bhima Marg,
Mumbai 400 021.

2. The Manager (Claims),
Life Insurance Corporation of India,
Divisional Office,
Trichy Road, Coimbatore.

3. The Branch Manager,
Life Insurance Corporation of India,
Lakshmi Complex,
1, Mangalam Road,
Tiruppur 641 604.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records relating to the letter of the third respondent dated 31.08.2002 and the letter of the second respondent dated 10.07.2003, quash the same and consequently for a direction, directing the respondents to pay the sum assured under plan 105 (triple cover with accidental benefits) together with interest at the rate of 12% per annum from 01.06.2002 to the petitioner.

For Petitioner : Mr.R.Saravanakumar
For Respondents : Mr.M.B.Raghavan

ORDER

Heard the learned counsels appearing on either side and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition to quash the letters of the third respondent dated 31.08.2002 and the second respondent dated 10.07.2003.

3. According to the petitioner, her husband had taken a policy from the respondent Corporation on 27.12.2001 for a sum of Rs.25 Lakhs and paid half early premium payable for the policy at Rs.44,450/-. However, before the policy came to be issued, the proposer died and the subsequent request of the petitioner for payment of the assured amount was rejected. Hence, the present Writ Petition.

4. The learned counsel for the petitioner reiterated the averments made in the affidavit and eventually submitted that in the light of the decision of the Supreme Court, the petitioner is ready to receive the premium amount along with interest.

5. The learned Standing Counsel appearing for the respondents submitted that the Life Insurance Corporation is ready to pay the premium amount paid by the petitioner's husband along with interest and in that regard, the learned counsel handed over a cheque dated 16.07.2019 for a sum of Rs.1,14,656/- drawn on Corporation Bank, Tirupur Branch to the learned counsel for the petitioner.

6. In the light of the above facts, no further adjudication is required in this Writ Petition. Accordingly, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

pvs
To

1. The Chairman,
Life Insurance Corporation of India,
Yogalshana,
Jeevan Bhima Marg,
Mumbai 400 021.

2. The Manager (Claims),
Life Insurance Corporation of India,
Divisional Office,
Trichy Road, Coimbatore.

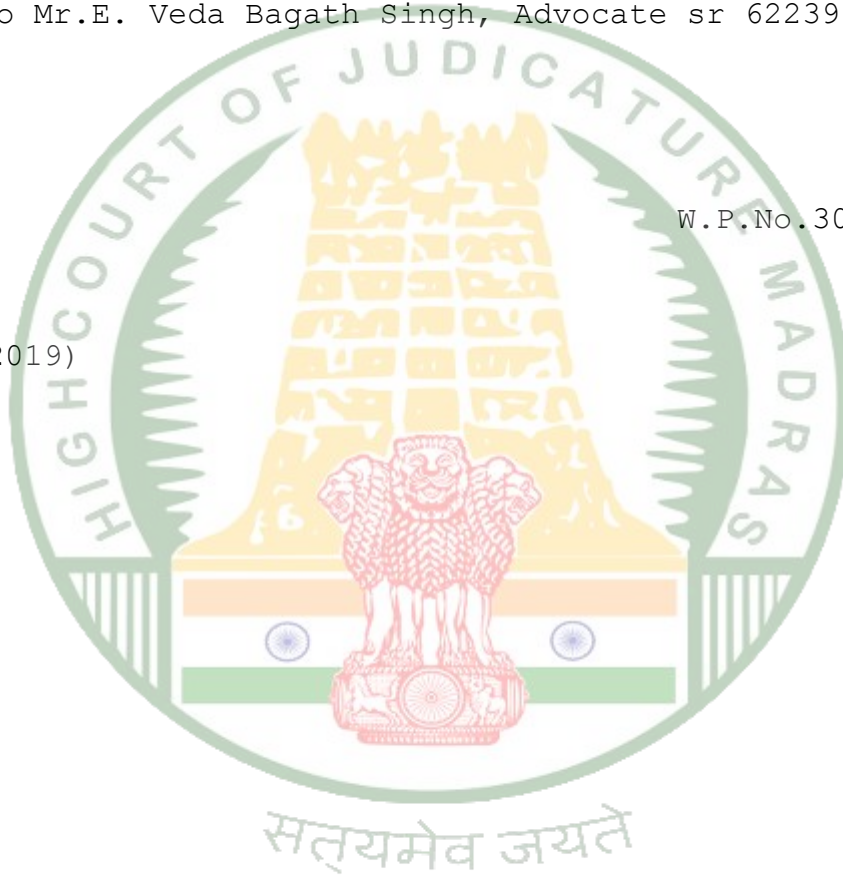
3. The Branch Manager,
Life Insurance Corporation of India,
Lakshmi Complex,
1, Mangalam Road,
Tiruppur 641 604.

+1 CC to Mr.M.B.Gopalan, Advocate sr 62462.

+1 CC to Mr.E. Veda Bagath Singh, Advocate sr 62239.

W.P.No.30733 of 2004

MP(CO)
SP(29/08/2019)



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