



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12735 of 2016

A.Govindasamy

...Petitioner

Vs

1.SBI Life Insurance Company Limited,
Rep.by its Managing Director,
Ground & IInd Floor,
Turner Morrison Building,
G.N.Vaidya Marg,
Fort, Mumbai - 400 023.

2.The Manager,
Branch Head, SBI Life,
No.122, First Floor,
Eswaran Koil Street,
Opposite Sadama Systems,
Puducherry - 605 001,
Puducherry Branch,
Pudhcherry.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse the matured amount on the insurance policy number SBI LIFE No.33003793505 to the petitioner and grant such other relief which the Honourable Court may deem fit and proper under the circumstances of the case.

For Petitioner : Mr.Prabhakaran
For Mr.G.Rajan

For Respondents : Mr.Praveen S.Kumar
For M/s.Rank Associates



O R D E R

The relief sought for in the present writ petition is for a direction to direct respondents to disburse the matured amount on the insurance policy number SBI LIFE No.33003793505 to the petitioner.

2. The petitioner states that the first respondent is the company incorporated under the Companies Act and they have involved in the Insurance business. The petitioner joined in the Insurance Scheme and was paying the premium.

3. The grievance of the petitioner is that the respondents are not returning the matured amount and thus, the writ petition is filed.

4. The learned counsel for the respondents relying on the counter affidavit, made submission that the petitioner has not paid the premium properly and he was treated as a defaulter and there is a dispute in this regard.

5. In this regard, High Court cannot decide such disputed issues in a writ jurisdiction. The parties have to resolve the disputed issues by way of an adjudication before the competent Forum based on the documents and evidences. Such an elaborate enquiry cannot be conducted in the present writ petition. Thus, the petitioner is at liberty to approach the competent Forum for the purpose of adjudication of disputed issues with reference to the terms and conditions of the contract as well as the documents relied upon.

6. With this liberty, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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+1cc to M/s.G.Rajan, Advocate, S.R.No.48873

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RLD(CO)
SB(18/10/2021)