



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-10-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.28120 of 2016

Mr.G.Jayakumar

.. Petitioner

vs.

1.The Life Insurance Corporation of India,
Represented by its Regional Manager (L&HPH),
Southern Zonal Office,
LIC Building,
Anna Salai,
Chennai - 600 002.

2.The Insurance Ombudsman,
O/o.Insurance Ombudsman,
Chennai - 600 002.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to pay the insured amount of Rs.12,00,000/- as per the policy of the deceased-cum-insured in Policy No.719538951.

For Petitioner : Mr.K.M.Subramaniam

For Respondent-1: Mr.S.Janarthanam

For Respondent-2: No Appearance



O R D E R

The relief sought for in the present writ petition is to direct the first respondent to pay the insured amount of Rs.12,00,000/- as per the policy of the deceased-cum-insured in Policy No.719538951.

2. The grievance of the petitioner is that his son, namely, J.Gururaj was working in a I.T. Company at Chennai. The son of the petitioner had taken an Insurance Policy with the first respondent-Life Insurance Corporation of India. The policy was registered and the petitioner was also paying the premium. In spite of that, the policy taken by the petitioner had not been honoured. Thus, the petitioner is constrained to move the present writ petition.

3. Insurance Policy is a contract between the parties. Terms and conditions and the disputes arising out of such issues will not be adjudicated in the writ proceedings under Article 226 of the Constitution of India. Adjudication of such contractual obligations require verification of original documents and evidences, including oral evidences. Such an exercise cannot be done by the High Court in the writ proceedings. Under these circumstances, the petitioner has to redress his remedy before the appropriate Forum in the manner known to law.

4. In view of the facts and circumstances and considering the nature of issues raised in the writ petition with reference to the Insurance Policy, the petitioner is at liberty to approach the Competent Forum in the manner prescribed.

5. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

Svn



To

1.The Regional Manager (L&HPH),
Life Insurance Corporation of India,
Southern Zonal Office,
LIC Building,
Anna Salai,
Chennai - 600 002.

2.The Insurance Ombudsman,
O/o.Insurance Ombudsman,
Chennai - 600 002.

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MG(CO)
B.VC (02/11/2021)