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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

W.A.No.666 of 2020
and C.M.P.No.9309 of 2020

1.The Central Office Claims
Review Committee
LIC of India, CRM Department,
Central Office, Yogakshema
5th Floor Link, J.B.Road,
Mumbai - 400 021.

2.The Zonal Manager,
LIC of India
Southern Zonal Office,
LIC Building,
No.102, Anna Salai,
Chennai - 600 002.

3.The Divisional Manager,
Life Insurance Corporation of India,
Divisional Office, Jeevan Prakash,
Arcot Road, Vellore - 4.

.. Appellants

Vs

A.Akilan

.. Respondent

Appeal filed under Clause 15 of Letters Patent against the order dated 28.11.2019 made in W.P.No.9760 of 2015.

Prayer in W.P.No.9760 of 2015: Writ of Certiorarified Mandamus Calling for the entire records connected with the impugned order passed by the 1st Respondent vide Ref.DO/CLAIMS dated 12.08.2013 confirming the order of the 2nd Respondent vide Ref.DO/CLAIMS dated 16.10.2012 confirming the order of the 3rd Respondent Ref.DO/CLAIMS dated 17.04.2012 and quash the same and direct the Respondents to pay the accrued amount of the policy No. 735585913 LICS JEEVAN SARAL for a sum of 3,00,000/- with interest from the date of representation of the petitioner

For Appellants	:	Mr.M.B.Raghavan
For Respondent	:	Mr.R.D.Ashok Kumar for Mr.S.N.Ravichandran



JUDGMENT

(Delivered by M.M.SUNDRESH, J.)

This appeal has been filed by the appellants against the order of the learned Single Judge, who while setting aside the order of repudiation claim was pleased to give a direction to the appellants to pay the claim amount within a specified date.

2. Heard the learned counsel appearing for the appellants and the learned counsel appearing for the respondent.

3. Learned counsel appearing for the appellants though contended on merit, we are not inclined to allow the appeal as admittedly the policy was taken by the deceased and thereafter she died of cardiac arrest.

4. Learned Single Judge considered the relevant materials in setting aside the order of repudiation. It is not as if the deceased was not paying the premium regularly. The policy amount itself is approximately Rs.3 lakhs. The death was also fortuitous death as she suffered cardiac arrest. It is not as if she was taking treatment for cardiac problem. Thus, in light of the above, we are not inclined to allow this appeal.

5. The writ appeal stands dismissed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To.

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+1cc to Mr.S.N.Ravichandran, Advocate, S.R.No.33494

W.A.No.666 of 2020

RK (CO)
B.VC (06/08/2021)