



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24049 of 2021

Smt.Latha

... Petitioner

Vs.

1.The Ombudsman

The Office of the Insurance Ombudsman
Fatima Akbar Court 4th Floor,
453, Anna Salai,
Teynampet, Chennai.

2.The Manager

ICICI Prudential Life Insurance Co. Ltd.,
Unit No.1AC 2A Raheja Tipco Plaza and
Rani Sati Marg, Malad (East),
Mumbai - 400 097.

3.Mrs.Hemalatha

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st Respondent to consider and pass orders on my representation dated 28.09.2021 and disburse the assured sum under policy No.28447594 to myself and the 3rd Respondent equally within a stipulated period as may be fixed by this Hon'ble Court.

For Petitioner : M/s.Shobana Ramasubramanyan

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first Respondent to consider and pass orders on her representation dated 28.09.2021 and to disburse the assured sum under policy No.28447594 to herself and the third respondent equally, within a stipulated time frame.



2.The case of the petitioner is that the petitioner is the mother of one Thangarajan who was employed in Infosys Technologists, Chennai and was married to the third respondent. The said Thangarajan died on 22.05.2021 leaving behind the petitioner and the third respondent as his legal heirs. After the demise of the said Thangarajan, the petitioner came to know that he had taken a policy with the second respondent with an assured value of Rs.1 Crore and that he has not mentioned anyone as his nominee under the policy. Thereafter, the third respondent requested the petitioner to give up her claim in the policy and submitted an independent claim form with the second respondent. Aggrieved by the same the petitioner made representation/ complaint dated 28.09.2021 to the first respondent seeking to look into her claim and enable her to get her share in her son's insurance benefit and since the same has not yet been considered has filed, this writ petition.

3.The learned counsel appearing for the petitioner would submit that this Court may issue direction to the first respondent to consider the petitioner's representation/ complaint dated 28.09.2021 and to issue direction to the second respondent to disburse the assured sum under policy No.28447594 to the petitioner and the third respondent equally, within a stipulated time frame.

4.Since this Court is not inclined to issue any adverse order as against the respondents, notice to the respondents is dispensed with.

5.Considering the limited relief sought for in this petition, this Court without expressing any opinion on the merits of the case, issues direction to the first respondent to consider the petitioner's representation/ complaint dated 28.09.2021 on merits and in accordance with law and after affording an opportunity of hearing to the respondents 2 and 3, shall pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.This writ petition is accordingly disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



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To

WEB COPY

1.The Ombudsman,
The Office of the Insurance Ombudsman
Fatima Akbar Court 4th Floor,
453, Anna Salai,
Teynampet, Chennai.

2.The Manager,
ICICI Prudential Life Insurance Co. Ltd.,
Unit No.1AC 2A Raheja Tipco Plaza and
Rani Sati Marg, Malad (East),
Mumbai - 400 097.

+1cc to Mr.Shobana Ramasubramaniam, Advocate Sr.62866

W.P.No.24049 of 2021

smI[co]
srg 11/01/2022