



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. NO. 20248 OF 2020

AND

WMP NOS. 25030 & 25034 OF 2020

M/s.NLC Employees Co-Op Thrift and
Credit Society Limited
Rep. By its President,
No.12, North Piraminedu Street,
Block 12, Neyveli - 607 803.

...Petitioner

Versus

1.The Regional Manager (P & GS),
Life Insurance Corporation of India,
Southern Zonal Office,
102. Anna Salai, Triplicane,
Chennai - 600 002.

2.The Manager (P &GS),
Life Insurance Corporation of India,
Vellore Divisional Office,
Pension & Group Schemes Dept.,
30-A, First East Main Road,
Gandhi Nagar, Vellore - 632 006.

3.The Branch Manager (P & GS),
Life Insurance Corporation of India,
Vellore Divisional Office,
Pension & Group Schemes Dept.,
30-A, First East Main Road,
Gandhi Nagar, Vellore - 632 006.

...Respondents

Writ petition filed under Article 226 of the Constitution
of India, praying to issue a writ of Certiorarified Mandamus,



calling for the records of the 3rd respondent in his proceedings, dated 18.12.2020 and his consequential proceedings, dated 22.12.2020 and to quash the same and consequently direct the respondents to renew the petitioner's policy No.611003422 as per the premium on the annual renewal date (Rs.578 Per One Lakh Sum Assured)

For Petitioner : Mr. Stalin Abhimanyu

For Respondents : Mr. R.S.Anandan

ORDER

The petitioner has come up with this writ petition to quash the proceedings of the third respondent dated 18.12.2020 and 22.12.2020 and consequently, direct the respondents to renew the petitioner's policy No.611003422 as per the premium on the annual renewal date (Rs.578 per one lakh sum assured).

2. According to the petitioner, they are registered Cooperative society, started functioning from 26.07.1968 and its operation is confined only with the permanent employees of the Neyveli Lignite Corporation (in short NLC). The objects of the society are to govern the funds recovered from the members, which in turn will be utilised for giving loans to its members. Presently, there are 9166 members in the society and they are paying Rs.3000/- as monthly subscription to the society, which amount is recovered from their salary paid by the Corporation. The petitioner further averred that pursuant to the proceedings in Rc.No.95418 /2014 B1-3 (circular No.27/2014) dated 28.10.2014 issued by the Registrar of Co-operative Societies, Chennai, in the interest of its members, subscribed to Insurance Policy in the name of the individual members to the extent of maximum eligible loan availed by them. As per the said Circular, the society shall pay the premium amount payable to the Policies from time to time on behalf of the members and would keep in possession of the Master Policy document for and on behalf of the members. On the basis of the Circular dated 28.10.2014, the petitioner society passed a resolution on 13.11.2017 pursuant to which policies were subscribed in the name of the individual members for Rs.1,00,000/- towards accidental death or natural death and a sum of Rs.472/- was paid as premium amount per annum. The respondents also acknowledged receipt of the premium



3.The grievance of the petitioner is that the first respondent, through a letter dated 24.05.2018 intimated about the revision of the premium rate for the period commencing from 01.04.2018 to 31.03.2019 together with 4.5% towards Goods and Service Tax (GST). Thus, the first respondent had enhanced the premium amount payable by the petitioner from Rs.472/- to Rs.531/-. The enhanced amount was also paid by the petitioner. While so, on 20.11.2020, the petitioner paid the premium amount. However, ten days after such payment, on 30.11.2020, the respondents called upon the petitioner to pay the difference of premium on or before 31.12.2020. Claiming that increasing the premium amount after the renewable date is illegal, the petitioner has filed the present Writ Petition.

5. At this stage, the learned counsel for the petitioner submitted that the petitioner is willing to make the difference in payment of the premium amount with interest.

<https://hcservices.ecourts.gov.in/hcservices/>



7. In the light of the above consensus arrived at between the parties, no further order is required to be passed in this Writ Petition. The writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

vum/rsh

To

1.The Regional Manager (P & GS),
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+1cc to M/s.R.S.Anandan, Advocate SR.No.43188

WP No. 20248 of 2020

KSM(CO)
BVC(01/10/2021)