BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.09.2021
CORAM
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY
W.P(MD)No.17002 of 2021

Vasantha ... Petitioner

Vs.

1.The Regional Director,
SBI LIFE INSURANCE CO.LTD.,
3rd Floor, Apeejay Business Centre,
Apeejay house 39/12 Haddows Road,
Chennai, Tamil Nadu,
India-600 006.

2.The Manager,
SBI LIFE INSURANCE CO.LTD.,
Plot No.C-97, 1st Floor, 5th Cross,
Fort Station Road,
Thillai Nagar, Near KAP SC,
Tiruchirappalli, Tamil Nadu,
India-620 018.

3.The Manager,
SBI LIFE INSURANCE CO.LTD.,
Thanjavur Branch,
Thanjavur District.

4.Joshpinmary ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st to 3rd respondents not to release any insured amount to the fourth respondent without legal heirs of the demise AnnalNavamani's two SBI Life Retire Smart Insurance amount Rs.37,69,246/-, based on the petitioner's representation dated 31.08.2021 and to consider with due process of law and frame a time fixed.

For Petitioner : Mr.T.P.Balasubramanian

ORDER

The petitioner seeks to prevent the release of an insurance claim to the fourth respondent by respondents 1 to 3.

2.The petitioner states that she and her late sister, Annal Navamani are the legal heirs of her parents, Rayappan and Dennishmary. According to the petitioner, her sister, Annal Navamani, does not have any legal heirs. However, it is stated that the fourth respondent has made a claim under two (2) life insurance policies of respondents 1 to 3. The present Writ Petition is filed to prevent respondents 1 to 3 from making payments pursuant to claims by the fourth respondent.

3.The petitioner has enclosed a copy of the Death Certificate of Annal Navamani. The said document indicates that Annal Navamani died on 05.06.2021. In addition, two (2) life insurance policies have been enclosed. The Life Insurance Policy bearing No.1H680714710 indicates that Josephine Mary is the nominee of the insured. Similarly, the Life Insurance Policy bearing Policy No.1H536740510 also indicates that the nominee is Josehpine Mary. In addition, such policies also indicate that the said Josephine Mary is the daughter of the insured.

4.Insurance companies permit the insured to make a nomination so as to enable the payment of claims to such nominee. If the petitioner intends to lay a claim to amounts paid by the Insurance Company, the petitioner should approach a jurisdictional civil court for such purpose. As far as the Insurance Company is concerned, the said Company will act in accordance with the terms of the relevant policy and the regulations and guidelines of the Insurance Regulatory and Development Authority of India. Therefore, the petitioner is not entitled to the relief claimed herein.

5.With the above observations, W.P.(MD).No.17002 of 2021 is disposed of without any order as to costs. However, nothing in this order should be construed as precluding the Insurance Company from examining whether the claims of the fourth respondent are in accordance with the terms of the relevant insurance policies and applicable law in such regard.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

W.P(MD)No.17002 of 2021
22.09.2021

DJ (CO)
RS (06.10.2021) 2P 1C