



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.18829 of 2017

and

W.M.P (MD)No.15196 of 2017

R.Himachala Rani

... Petitioner

Vs.

1.The Post Master General,
Southern Region,
Madurai-625 002.

2.The Superintendent of Post Offices,
Ramanathapuram Division,
Ramanathapuram-623 501.

3.The Post Master,
Paramakudi Head Post Office,
Paramakudi,
Ramanathapuram District.

4.Kannaththal

... Respondents

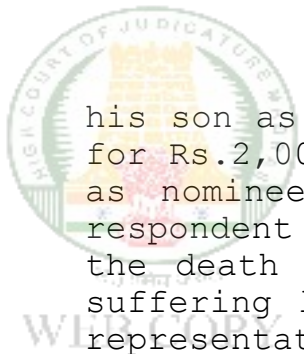
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the letter PLI/DC/DIGs 2017-18 dlgs dtd at Ramanathapuram - 623 501, dated 19.09.2017 of the second respondent and quash the same and consequently direct the second respondent to disburse the petitioner's husband death claim of PLI Policy No.0000000596931 dated 11.08.2016, Rs.2,00,000/- to the petitioner and the petitioner's minor son.

For Petitioner : Mr.M.Kala Murugappan
For R1 to R3 : Mr.S.Jeyasingh
Senior Panel Counsel

O R D E R

This writ petition has been filed challenging the letter of the second respondent, dated 19.09.2017 and to quash the same and consequently, direct the second respondent to disburse the petitioner's husband death claim of Rs.2,00,000/- to the petitioner and her minor son.

2. The case of the petitioner is that her husband name is Kannan and he died on 23.12.2016, leaving behind the petitioner and
<https://hcservices.ecourts.gov.in/hcservices/>



his son as legal heirs. During his life time, he had taken a Policy for Rs.2,00,000/-. In the policy, he has shown the fourth respondent as nominee and the fourth respondent is his sister. The fourth respondent is living with her husband and her sons. Further, after the death of the petitioner's husband, the petitioner and her son suffering lot of untold hardship. Hence, the petitioner has made a representation to the respondents 1 to 3, on 04.09.2017, for settlement of death claim of her husband in respect of PLI Policy No.0000000596931, dated 11.08.2016, to the petitioner. However, the second respondent has rejected the said request, by letter dated 19.09.2017. Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the deceased Kannan is the husband of the petitioner and the petitioner has one son and whatever the benefit accrued in the name of the deceased husband, the petitioner is entitled to receive the same. However, the rejection order passed by the second respondent is not sustainable one. Accordingly, he prayed for allowing of this writ petition.

4. Heard the learned counsel for the petitioner, learned counsel appearing for the respondents 1 to 3 and perused the materials available on record.

5. On perusal of the impugned order reveals that the petitioner's husband viz., Kannan had nominated his sister as nominee for the PLI Policy No.0000000596931 and as per the Policy Rules, 2011, the nominee alone is having the right to get the death claim benefits. Therefore, this Court cannot adjudicate the issue in between the petitioner and the fourth respondent to receive the said benefits. Hence, this Writ Petition is dismissed. However, liberty is granted to the petitioner to work out the remedy, in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (ADII)

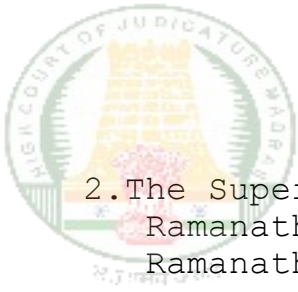
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Sub Assistant Registrar(CS)

akv
To

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Madurai-625 002.



2.The Superintendent of Post Offices,
Ramanathapuram Division,
Ramanathapuram-623 501.

3.The Post Master,
Paramakudi Head Post Office,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.S.JEYASINGH, Advocate (SR-11494[F] dated 16/03/2021)

W.P. (MD) No.18829 of 2017
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GS (23.06.2021) 3P 5C