



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.1305 of 2022  
and WMP. No.1419 & 1422 of 2022

1. R.Janani
2. R.Kathir

...Petitioners

vs.

1.The Deputy Director  
Department of Financial Services,  
Pradhan mantri Jeevan Jyoti Bima Yojana (PMJJBY)  
Ministry of Finance 3rd Floor  
Jeevan Deep Building Sansad marg, New Delhi-110 001.

2.The Manager  
Indian Overseas Bank Station Road,  
Chromepet Branch, 13 / 1  
Naidu Shop Road,  
Radha Nagar  
Chromepet Chennai- 600 044.

3.Basanti Pillay

4.R.Phoomika

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the Respondents 1 and 2 to disburse the Insurance Amount of Rs. 2,00,000 /- (Rupees Two Lakhs only) under Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) accrued on the death of Mr.M.Ramalingam Son of Late Madurai died on 03.05.2021 subscribed through his savings Bank Account bearing No. 188001000020749 held in the 2nd respondent Bank as per representation of the Petitioners dated 25.09.2021 and 25.09.2021 within a time frame fixed by this Honble court.



For Petitioner : M/s. M.N.Sumathy

For Respondents : Mr.K.B.Arul, ACGC R1

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## ORDER

The petitioner has filed this petition seeking direction to the the Respondents 1 and 2 to disburse the Insurance Amount of Rs. 2,00,000/- (Rupees Two Lakhs only) under Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) accrued on the death of Mr.M.Ramalingam Son of Late Madurai died on 03.05.2021 subscribed through his savings Bank Account bearing No.188001000020749 held in the 2nd respondent Bank as per representation of the Petitioners dated 25.09.2021 and 25.09.2021.

2. The facts of the case are as follows:

The petitioners' are the brothers and their father was worked as a Technician at Mechanical Department in Chennai Port Trust and he died on 03.05.2021. The petitioners' father subscribed for the Central Government Insurance Scheme viz., Pradhan Mantri Jeevan Jyothi Bima Yojana. Till his death, he paid the premium regularly. The petitioners' were born through the first wife of the deceased. In the year 2006, the petitioners' parents got divorced by an order of the learned II Additional Family Court. In the year 2007, the deceased Ramalingam married the 3<sup>rd</sup> respondent and in 2008, the 4<sup>th</sup> respondent was born, out of the said wedlock.

3. It is the further case of the petitioner that the petitioners' lived with their father and the respondents 4 & 5 and till the death of their father, the petitioners were taken care of by their father. After demise of the petitioner's father, the 3<sup>rd</sup> and 4<sup>th</sup> respondents vacated the house and left the petitioners. In the meanwhile, the petitioners' have made an application for getting the benefits of the above said insurance, which was subscribed by their father, to the respondents 1 & 2 and the respondents 3 & 4 have objected for the same. In the meanwhile, the petitioners have filed a suit before the City Civil Court, Chennai to declare the petitioners' and the respondents 3 & 4 as legal heirs of the said deceased Ramalingam. Hence, the present writ petition has filed before this Court seeking appropriate remedy.

4. The learned counsel for the petitioner submitted that this court may issue a direction to the respondents 1 and 2 to deposit the entire amount before the trial Court where the suit is pending and leave the civil Court to disburse the amount to the eligible parties.



5. The learned Standing counsel appearing on behalf of the respondents 1 & 2 have no serious objection for the submission of the petitioners.

6. Heard the learned counsel for the petitioner and the learned Counsel appearing on behalf of the respondents 1 & 2 and perused the materials available on record.

7. Considering the facts and circumstances of the case and without going into the merits of the case, this Court passed the following order:

''(a) The second respondent is directed to deposit the entire insurance amount, which was subscribed by the petitioner's father, before the City Civil Court, Chennai in O.S. No.8447 of 2021 in an interest-bearing fixed deposit within a period of four weeks from the date of receipt of a copy of this order; and

(b) The learned Judge, City Civil Court, Chennai shall decide the suit as expeditiously as possible and disburse the said amount depending upon the outcome of the suit.''

8. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS-III)

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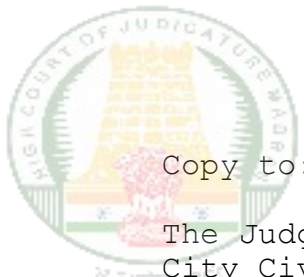
Sub Assistant Registrar

Rli

To

1.The Deputy Director,  
Department of Financial Services,  
Pradhan mantri Jeevan Jyoti Bima Yojana (PMJJBY)  
Ministry of Finance, 3rd Floor,  
Jeevan Deep Building Sansad marg, New Delhi-110 001.

2.The Manager,  
Indian Overseas Bank,  
Station Road, Chromepet Branch,  
13 / 1 Naidu Shop Road,  
Radha Nagar, Chromepet, Chennai- 600 044.



Copy to:

The Judge,  
City Civil Court,  
Chennai.

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+1cc to M/s.M.N.Sumathy, Advocate SR. No.5073

W.P. No.1305 of 2022  
and WMP. No.1419 & 1422 of 2022

PCH (CO)  
PR (08/03/2022)