

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14170 of 2020

Mrs.Kalaiselvi

... Petitioner

Vs.

The Chief Manager,
LIC of India,
Thiruvarur 612 601.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to consider his representation dated 30.09.2019 and to disburse the accident benefit sum arising out of the death of his son Aravinth under Policy No.758267928 within the time stipulated by this Court.

For Petitioner : Mr.P.Sesubalanaraja
For Respondents : No appearance

O R D E R

The petitioner has filed this petition seeking issuance of Writ of Mandamus to direct the respondent to consider his representation dated 30.09.2019 and to disburse the accident benefit sum arising out of the death of his son Aravinth under Policy No.758267928 within the time stipulated by this Court.

2. The case of the petitioner is that his Son Aravinth was studying M.Tech in the Hindustan College at Padur, Kelambakkam, Chennai. On 09.09.2018, his son met with an accident, while he was riding a two wheeler in the Vandalur-Kelambakkam Road and succumbed to injuries at the spot itself. His son had taken an Insurance Policy with the respondent on 23.03.2016 under the LIC's New Jeewan Anand Scheme and had been paying the premium regularly. Under the terms of the above policy, the basic sum assured is Rs.5,00,000/- and wherein the petitioner had also been appointed as his nominee. After his demise, the petitioner has made application dated 03.12.2018 to the respondent seeking the insurance amount including the accident benefit as the nominee of the deceased. The respondent, who paid only the maturity amount of Rs.7,01,000/-, had not chosen to disburse the accident benefit sum arising out of death

of his son Aravinth till date. Hence the petitioner made representation dated 30.09.2019 to the respondent, seeking early release of the claim amount. Unfortunately, the said representation of the petitioner has not been considered and hence the petitioner is constrained to approach this Court by filing this Writ Petition.

3. The learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondent to consider the petitioner's representation dated 30.09.2019 and pass orders on the same within a particular time frame fixed by this Court.

4. Though notice was served and name of the counsel for the respondent printed in the cause list, there is no representation on behalf of them. This Court considering the pendency of this petition, is inclined to dispose of the matter based on the available records.

5. In view of the aforesaid submission of the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's representation dated 30.09.2019 for disbursement of the accident benefit, in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Sk

To

The Chief Manager,
LIC of India,
Thiruvavarur 612 601.

+1cc to Mr.P.Sesubalanraja, Advocate SR.No.1518

W.P.No.14170 of 2020

KSM(CO)
GN(24/02/2022)