



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28244 of 2021

and

W.M.P.No.29834 of 2021

S. Uma Maheswari

.. Petitioner

vs.

1. The General Manager,
Life Insurance Corporation of India,
(Death Benefit Department)
No.45/56. Indian Mutual Building,
1st Floor, Anna Salai, Mount Road,
Chennai-600002.(Near Shanthi Theatre)

2. K. Shanthi

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to settle the LIC Policy amount to the petitioner proportionally in respect of the policies No.717887125, 717990079, 705284277, 715298948, 735639463.

For Petitioner : Mr. D. Rajagopal

ORDER

The present petition has been filed seeking a direction to the 1st respondent to settle the LIC Policy benefits amount to the petitioner in respect of the policies initiated by the petitioner's husband.

2. The case of the petitioner is that the petitioner is the legally wedded wife of one K.Bhoopathy, who met with a road accident and died on 14.08.2020 leaving her behind. When the petitioner's husband was unmarried, he took various LIC policies



from the 1st Respondent herein and had included his mother/2nd respondent as a legal nominee. After the demise of her husband, the petitioner is restrained from entering into her marital home. However, the petitioner being a class-I legal heir of her husband who is also entitled to receive 50 % of the policy amount, had sent a legal notice on 08.10.2020 to the 1st respondent requesting not to disburse the policy amount for which, the petitioner received a reply from the 1st respondent stating that the policy amount will be disbursed to the nominee on receipt of all claim requirements. Thereafter, the petitioner made a representation dated 03.02.2020 to the 1st respondent with regard to the same along with all necessary documents. However, till date the same has not been considered by the 1st respondent. Hence, the present petition is filed seeking the above relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the 1st respondent herein to settle the benefits of the LIC policies initiated by the petitioner's husband proportionally in favour of the petitioner within the time frame fixed by this Court.

4. Upon hearing the learned counsel for the petitioner, this Court directs the petitioner as well as the 2nd respondent herein to appear before the 1st respondent herein on 24.01.2022 along with a copy of this order. On appearance of the parties, the 1st respondent is directed to adjudicate the matter between the parties and disburse the policy amount proportionally to the petitioner as well as the 2nd respondent as per the Regulations of the 1st respondent Corporation as expeditiously as possible.

5. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

NHS



To

1. The General Manager,
Life Insurance Corporation of India,
(Death Benefit Department)
No.45/56. Indian Mutual Building,
1st Floor, Anna Salai, Mount Road,
Chennai-600002.(Near Shanthi Theatre)

+1cc to Mr.D.Rajagopal, Advocate, S.R.No.384

W.P.No.28244 of 2021
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PL(CO)
SU(27/01/2022)