



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.11815 of 2017

R.Raja Mohamed,
S/o.E.A.Rasheed

...Petitioner

Vs.

1. The Joint Director,
Insurance Regulatory Development
Authority of India,
Parsrama Bhavan 3rd Floor,
Basheer Bagh, Hyderabad - 500 004.
Telengana State.

2. M/s. Star Health and Allied Insurance
Co. Ltd., (Grievance Cell),
KRM Centre, 6th Floor,
No.2, Harrington Road,
Chetput, Chennai-600 031.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's representation dated 17.01.2017 and consequently direct the 2nd respondent to award the insurance claim amount in respect of petitioner's wife R.Nathira Banu for the medical insurance to a sum of Rs.2,57,344.87.

For Petitioner : Mr.Syed Ibrahim

For Respondents: Mr.M.B.Raghavan for R1
Mr. N.Vijayaraghavan for R2

O R D E R

(The case has been heard through video conference)

After advancing elaborate arguments, Mr. Syed Ibrahim, learned counsel appearing for petitioner would submit that, the petitioner may be permitted to withdraw the Writ Petition with liberty to approach the concerned forum seeking appropriate remedy. He would further submit that in view of the pendency of



writ petition, now, the limitation for filing any such petition or suit is expired. Hence, the time taken in the pendency of the Writ Petition may be excluded enabling the petitioner to approach the concerned forum without reference to the period of limitation.

2.The learned counsel appearing for the Respondents have no serious objection for the same.

3.Considering the submission made by the learned counsel appearing for the Petitioner, this Writ Petition is dismissed as withdrawn, with liberty to the petitioner to approach the concerned forum seeking for appropriate remedy as per Sec.14 of Limitation Act. While computing the period of limitation, the time during which the Writ Petition is pending should be excluded as per Sec.14 of Limitation Act. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rpp

To

The Joint Director,
Insurance Regulatory Development
Authority of India,
Parsrama Bhavan 3rd Floor,
Basheer Bagh, Hyderabad - 500 004.
Telengana State.

W.P.No.11815 of 2017

KSM(CO)
RGA(23/02/2022)