



W.P(MD)No.14972 of 2019

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.12.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.14972 of 2019**

Master.Arjun Arunkumar,  
Represented by mother,  
N.C.Saranya

... Petitioner

Vs

1.The Zonal Manager,  
LIC of India,  
LIC Building,  
153, Anna salai,  
Chennai – 600 002.

2.The Senior Divisional Manager,  
LIC of India,  
Divisional office,  
Punithavathiar street,  
Palayamkottai,  
Tirunelveli – 672 002.

3.The Branch Manager,  
LIC of India,  
Unit-1,  
Krishnancoil,  
Nagercoil,  
Kanyakumari District.

4.S.Chidhambaram

... Respondents



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**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to disburse the endowment assurance policy death claim amount of Rs.22,45,000/- (Twenty two Lakh forty five thousand rupees only) Accrued on behalf of petitioner's husband death under LIC Policy No.322097188 and police No. 32329366 in favour of herself and her minor son within a time frame fixed by this Court.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.J.S.Murali  
Standing Counsel for R.1 to R.3

Mr.E.V.N.Siva for R.4

### **ORDER**

Heard the learned counsel on either side.

2. One C.Arun Kumar had taken 12 LIC Policies and he passed away leaving behind his wife Saranya, son Arjun Arunkumar and his mother as legal heirs. However, the fourth respondent herein was shown as the nominee. It is well settled that the insurer will disburse the policy amount only to the nominee. It is equally well settled that the nominee is in the position of trustee. He cannot appropriate the disbursed amount. He has to distribute as per the general law of succession.



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3. In this case it is seen that the fourth respondent had already filed S.O.P.No.382 of 2019 on the file of District Court, Nagercoil, Kanyakumari District. The learned Trial Judge is directed to conclude the enquiry and pass final order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The rights of the parties will abide by the outcome of the said proceedings. LIC shall await the disposal of Succession Original Petition before making disbursement. This writ petition is disposed of accordingly. There shall be no order as to costs.

**20.12.2022**

Index : Yes / No  
Internet : Yes/ No  
MGA

**Note:** Registry is directed to make a copy of this order to the learned District Court, Nagercoil, Kanyakumari District.

To

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3.The Branch Manager,  
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