



W.P.(MD)No.21622 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.21622 of 2022

M.Chellapandi

... Petitioner

Vs

The Branch Manager,
State Bank of India,
Y.Othakadai Branch,
Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent bank to disburse insurance amount of Rs.2,00,000/- taken by the petitioner's mother under Pradhan Mantri Jeevan Jyoti Bima Yojana Scheme vide Policy No. 76001000135, dated 11.10.2017, to the petitioner based on his representation dated 27.08.2022, within the time frame stipulated by this Honourable Court

For Petitioner : Mr.V.Kalichamy

For Respondent : Mr.V.P.Rajan
Standing Counsel

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent bank to disburse insurance amount of Rs.2,00,000/- taken by his mother under Pradhan Mantri Jeevan Jyoti Bima Yojana Scheme, vide Policy



W.P.(MD)No.21622 of 2022

No.76001000135, dated 11.10.2017, to him, based on his representation, dated 27.08.2022, within a time frame.

2. According to the learned counsel for the petitioner, the petitioner's mother had taken insurance policy from the respondent Bank and she passed away in the month of July, 2022, leaving behind the petitioner and his sister as her legal heirs. The petitioner's name has been mentioned as nominee in the Insurance Policy. When the petitioner approached the respondent Bank for getting the insurance amount by submitting the death certificate of his mother, the respondent demanded legal heirship certificate from the petitioner. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

3. The respondent filed a counter affidavit stating that the petitioner's father got divorce from the petitioner's mother in the year 2003 itself. The respondent Bank disburses the insurance amount/fixed deposit to the nominee, if there is no dispute among the legal heirs of the Policy holder. Since the petitioner's father got divorce long back, the respondent Bank would disburse the insurance amount if the petitioner comes forward to execute an indemnity bond. Further, the petitioner has also admitted that his own sister has no objection for receiving the insurance amount by him. In the event of executing



W.P.(MD)No.21622 of 2022

indemnity bond in favour of the respondent Bank for claiming the insurance amount, the respondent Bank would disburse the insurance amount.

4. In view of the above, this Court directs the petitioner to approach the respondent Bank and execute an indemnity bond within a period of two weeks from the date of receipt of a copy of this order. On receipt of such document, the respondent Bank shall consider the petitioner's claim and disburse the insurance amount to the petitioner, within a period of four weeks thereafter.

5. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No

30.11.2022

To

The Branch Manager,
State Bank of India,
Y.Othakadai Branch,
Madurai.



W.P.(MD)No.21622 of 2022

V.BHAVANI SUBBAROYAN, J.

smn2

W.P(MD)No.21622 of 2022

30.11.2022