



W.P(MD)No.6298 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.12.2022**

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.6298 of 2014

C.Uma

... Petitioner

Vs.

1.The Regional Manager,
The Oriental Insurance Company Ltd.,
Regional Office,
Mayflower Building,
2nd Floor, No.72, Dr.Balasundaram Road,
A.T.T.Colony, Coimbatore-641 018.

2.The Divisional Manager,
The Oriental Insurance Company Ltd.,
Divisional Office, Kumbakonam,
Thanjavur.

3.M.Sam John

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent herein to disburse the compensation for the motor accident claim of the petitioner, dated 27.8.2013 in the name of 2nd respondent without any further delay.



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For Petitioner : Mr.S.Ramakrishnan

For Respondents : No Appearance

ORDER

The present writ petition has been filed for a mandamus, directing the 1st respondent herein to disburse the compensation amount for the motor accident claim of the petitioner, dated 27.08.2013.

2. The entire claim of the writ petitioner is based upon the insurance policy, which is a contract entered between the parties for indemnity. What the petitioner seeks is to make a claim on the basis of such contract. The writ petition under Article 226 of the Constitution of India cannot be entertained to decide the dispute arising out of a contractual obligation between the parties. Hence, this writ petition is not maintainable and the same is liable to be dismissed.



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3. In the light of the above, this Writ Petition stands dismissed. The petitioner is at liberty to approach the appropriate forum, if so advised. There shall be no order as to costs.

16.12.2022

Index : Yes / No
Internet : Yes / No

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K.KUMARESH BABU,J.



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Order made in
W.P(MD)No.6298 of 2014

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