



W.P.(MD)No.28321 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28321 of 2022

I.Kannan @ Kannapatel

... Petitioner

Vs.

1. The Divisional Manager
Divisional Office (LIC),
Claims Department,
'Jeevan Prakash' Palam Station Road,
Sellur, Madurai, Madurai District.

2. The Branch Manager
LIC Rajapalayam Branch,
No. 656, Tenkasi Road,
Rajapalayam- 626 117,
Virudhunagar District.

3. K. Anand

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to disburse the full death claim with nominal interest of 12% p.a to till the date



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of payment in respect of the petitioner's deceased wife K.Jeya policy vide No.747511803 on the basis of the petitioner's representation dated 20.10.2022.

For Petitioner : Mr. T.Indrachithu

For Respondents : Mr. S.Anwar Sameem
Standing Counsel

ORDER

This Writ Petition has been filed to direct the 1st respondent to disburse the full death claim with nominal interest of 12% per annum till the date of payment in respect of the petitioner's deceased wife, namely, K.Jeya [policy vide No.747511803] on the basis of the petitioner's representation, dated 20.10.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner's wife is the policy holder of the second respondent. Out of wedlock, they blessed with one son, namely, Anand, who is the third respondent herein. The petitioner's wife has purchased a policy from the



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second respondent Office. While purchasing the policy, the petitioner's wife mentioned her nominee as the third respondent herein. On 24.03.2018, the petitioner's wife met with a road accident and she passed away. Thereafter, the petitioner has submitted all the relevant documents relating to the policy for disbursal of the full death claim with nominal interest at 12% per annum. However, the policy amount was not disbursed to the petitioner. Hence, the petitioner made a representation on 20.10.2022. Till date, no order was passed. Hence, the present writ petition has been filed.

3. The learned Standing Counsel appearing for the respondents would submit that the petitioner is the husband of the deceased and the deceased nominated the third respondent as her nominee. Hence, if the third respondent has made any representation, the entire eligible amount will be settled in favour of the third respondent.

4. In view of the fair submission made by the learned Standing counsel appearing for the respondents, this Court is inclined to grant permission to the third respondent to make an application before the second



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respondent within a period of two weeks from the date of receipt of a copy of this order. If any application is filed by the third respondent, the second respondent is directed to settle the entire eligible amount in favour of the third respondent within a period of six weeks from the date of filing the application.

5. Accordingly, this Writ Petition is disposed of. No costs.

16.12.2022

Index : Yes / No

Speaking Order : Yes / No

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M.DHANDAPANI,J.

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