



W.P.(MD)No.28510 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28510 of 2022

and

W.M.P.(MD)No.22520 of 2022

1. X.Arul Mary
2. Maria Jansi Rani

... Petitioners

Vs.

1. The Senior Divisional Manager,
Life Insurance Corporation of India,
Divisional Office,
Jeevan Prakash,
16, Bridge Station Road, Sellur,
Madurai - 625 002.

2. X.Arul Mary

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order dated 04.07.2022 issued by the first respondent and quash the same and consequently, direct the first respondent to disburse the Group Insurance Scheme amount pertaining to Unique Registration I.D.No.27298804, dated 18.04.2022 availed by the first



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petitioner's son, X.Stephen and also release the Scheme VI Car in the name of the deceased X.Stephen which was taken into custody by the first respondent from the first petitioner.

For Petitioners : Mr.V.Sasikumar

For Respondents : Mr.G.Prabhu Rajadurai for R1
Mr.S.C.Herold Singh for R2

O R D E R

This Writ Petition has been filed to call for the records of the impugned order, dated 04.07.2022 passed by the first respondent, quash the same and consequently, direct the first respondent to disburse the Group Insurance Scheme amount pertaining to Unique Registration I.D.No. 27298804, dated 18.04.2022 availed by the first petitioner's son, namely, Stephen and also release the Scheme VI Car in the name of the deceased X.Stephen which was taken into custody by the first respondent from the first petitioner.

2. The case of the petitioner is that the first petitioner's son, namely, Stephen, was appointed as Development Officer in Life Insurance Corporation of India in the year 2007 and his appointment was confirmed in



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the year 2009. Thereafter, in the year 2020, he was promoted as Assistant Manager and transferred to Madurai. The second respondent herein is the daughter-in-law of the first petitioner. There was no compatibility between the first petitioner's son and the second respondent. The second respondent harassed the first petitioner's son and therefore, he committed suicide on 09.05.2022. After his death, the same was communicated by the first petitioner to the Senior Branch Manager, Madurai on 12.05.2022 and 31.05.2022 for settlement of the death benefits. The first petitioner claims that she and his son's adopted daughter are entitled to claim benefits and the same was objected to by the second respondent. Hence, the present Writ Petition.

3. The learned counsel appearing for the second respondent would submit that there is a dispute between the legal heirs of the deceased and the second respondent has already filed a Succession Original Petition in S.O.P.No.215 of 2022 on the file of the Principal District Judge, Madurai. Hence, this Court may grant liberty to the first respondent to disburse the benefits after disposal of the said Succession Original Petition.



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4. The learned counsel appearing for the petitioner would submit that already the deceased nominated the second petitioner as his beneficiary of the Group Insurance Scheme. Though the second petitioner is not entitled for other benefits, however, she is entitled for Group Insurance. Hence, this Court may issue a direction to the first respondent to settle the Group Insurance scheme to the second petitioner herein.

5. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

6. The facts in the present case are not in dispute. Admittedly, there was a dispute between the petitioners and the second respondent to succeed the estate of the deceased, for which, the second respondent has already filed a Succession Original Petition in S.O.P.No.215 of 2022 before the Principal District Judge, Madurai.

7. Rendering any opinion on the merits of the case, will adversely affect the interest of the petitioners as well as the second respondent. Hence,



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this Court, without expressing any opinion, is inclined to issue a direction to the first respondent to settle the terminal benefits as per the order of the learned Principal District Judge in S.O.P.No.215 of 2022. However, liberty is granted to the second petitioner to work out the remedy in the manner known to law with regard to the claim of the Group Insurance Scheme.

8. Accordingly, this Writ Petition is disposed of. No costs.
Consequently, connected Miscellaneous Petition is closed.

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(2/2)

Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Senior Divisional Manager,
Life Insurance Corporation of India,
Divisional Office, Jeevan Prakash,
16, Bridge Station Road, Sellur,
Madurai - 625 002.
2. The learned Principal District Judge,
Madurai.



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