



W.P.No.21798 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.21798 of 2021
and WMP.No.22983 of 2021

Kannammal

..... Petitioner

Vs

- 1.The Reserve Bank of India
Represented by its Regional Manager
Fort Glacis, No.16, Rajaji Salai
Chennai - 600 001.
- 2.The State Bank of India
Payments & Special Projects
State Bank Bhavan
Madame Cama Road
Nariman Point - 400 021.
- 3.The Chairman
Insurance Regulatory and Development Authority
Sy.No.115/1, Financial District
Nanakramguda, Gachibowli
Hyderabad - 500 032.
- 4.National Insurance Co. Ltd.,
Panvel Division Office
Navi Mumbai - 410 206.



W.P.No.21798 of 2021

5. The State Bank of India
Kadathur Branch
Dharmapuri Main Road
Kadathur, Tamil Nadu - 635 303.

..... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the fourth respondent in order dated 22.07.2019, in respect of claim under Policy No.240700/42/17/10000023, and quash the same as illegal, incompetent and arbitrary and consequentially direct the respondents to sanction the insurance claim of the petitioner to the tune of Rs.5,00,000/- and thereby honour the insurance policy of the deceased Mr.T.Mahalingam, and further direct the respondents to pay the insurance amount within a stipulated time.

For Petitioner : Mr.M.Muruganantham

For Respondents : Mr.C.Mohan
for M/s.King & Patridge for R1
Mr.M.B.Gopalan Associates for R3
Mr.S.Arunkumar for R4
R2 - No Appearance
R5 - No Appearance

ORDER

This petition is filed challenging the proceedings of the 4th respondent declining the applicant an insurance cover that is issued along with a debit card issued by the 5th respondent. In other words, the insurance cover is linked to the debit card. The insurer had passed away, and the petitioner who is the widow of the insured, approached the 4th respondent with her claim, which was rejected on the



W.P.No.21798 of 2021

ground that she is preferring the claim beyond the stipulated 120 days. This is now under challenge.

2.Mr.S.Arunkumar, learned counsel entered appearance for the 4th respondent. This Court now directs the 4th respondent to condone the delay in excess of 120 days, and take up the claim of the petitioner for consideration and to process the same subject to fulfilment of other conditions in the policy touching the merit of the claim. If the petitioner is required to provide any further information in the course of processing the claim, the insurance company is required to intimate the petitioner about the information that it requires, rather than rushing to reject the claim for lack of information.

3. The writ petition is disposed of with a direction that the entire exercise shall be completed within a period of sixteen weeks from today. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2023

Index : Yes / No
Speaking order / Non-speaking order
ds



W.P.No.21798 of 2021

To:

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W.P.No.21798 of 2021

N.SESHASAYEE.J.,

ds

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