



W.P.(MD)No.2073 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2073 of 2023

and

W.M.P.(MD) No.1853 of 2023

1.V.Athilakshmi

2.V.Akshaya

3.V.Aarthi

... Petitioners

Vs.

1.The Life Insurance Corporation of India,

Rep. by its Chairman,

Central Office,

Jeevan Bima Marg,

Mumbai - 400 021.



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2.The Zonal Manager

Southern Zone,
Life Insurance Corporation of India,
Zonal Office,
LIC Buildings,
Anna Salai,
Chennai - 600 002.

3.The Senior Divisional Manager

Life Insurance Corporation of India,
Divisional Circle,
Tirunelveli.

4.The Branch Manager

Life Insurance Corporation of India,
Kuzhithurai Branch,
Marthandam - 629165.

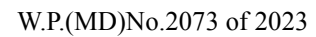
5.A.Subbiah

6.S.Kannan

7.S.Shanthi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus to direct the respondents 1 to 4 to



For Petitioners : Mr.M.P.Senthil

For Respondents : Mr.D.Shanmugaraja

Sethupathy - for R1 to R4

ORDER

This writ petition has been filed to direct the respondents 1 to 4 to disburse all the monetary benefits including the Gratuity amount, Provident



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Fund, Leave Salary, Death benefits, Family pension including arrears and all other attendant benefits of the first petitioner's deceased husband viz., S.Viswanathan worked as Senior Grade Assistant in the fourth respondent office and further directing the respondents 1 to 4 corporation to settle the LIC policy amount to the first petitioner in respect of policy Nos. 320316622, 320316980, 321949255, 320938018, 320938018, 740868597, 740868547 as well as Group Savings Linked Insurance, Group Insurance and Group Term Insurance Scheme along with interest at the rate of 12% per annum by considering the first petitioner's final representation, dated 24.09.2022.

2. The learned counsel appearing for the petitioners submitted that the first petitioner married to one S.Viswanathan on 30.10.1996 and they were blessed with two daughters namely, Akshaya and Aarthi. The first petitioner's husband was appointed as an Assistant in the year 1997 in the Life Insurance Corporation of India and posted at fourth respondent office. Unfortunately, the first petitioner's husband met with an accident on 10.11.2011 and died on 13.11.2011. After the death, the father-in-law of the



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first petitioner, due to misunderstanding with her, lodged a false complaint as if the death of the first petitioner's husband was not an accident and the learned IV Additional District and Sessions Judge, Tirunelveli acquitted the first petitioner in S.C.No.109 of 2012, dated 31.07.2012. Against which, her father-in-law preferred a Revision in C.R.P.No.586 of 2012 before this Court and this Court directed the Registry to convert the same into Criminal Appeal and hence numbered as CrI.A.(MD) No.557 of 2018. Thereafter, the criminal appeal was withdrawn by her father-in-law. The first petitioner's husband took LIC policies during his life time and nominated her as a nominee. However, the said benefit was not extended to the petitioners and hence, the first petitioner made a representation to the second respondent on 24.09.2012, for which the first respondent sent a reply, dated 11.10.2022 seeking confirmation letter from the Police Station and thereafter, the first petitioner sent all the details and even then, the amount was not disbursed to the petitioner. Hence, the present writ petition is filed.

3. The learned counsel for the petitioners further submitted that this Court may issue a direction to the respondents to consider the



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petitioner's representation and pass appropriate orders within a time limit as fixed by this Court.

4. The learned Standing Counsel appearing for the respondents 1 to 4 submitted that there are other claimants are available as 5 to 7 private respondents and hence, this Court may issue a direction to the respondents 1 to 4 to conduct an enquiry in between the petitioner as well as the private respondents and pass appropriate orders.

5. Since no adverse order is going to be passed as against the private respondents, notice to the private respondents is dispensed with.

6. In this regard, there was a dispute with regard to the receipt of monetary benefits of the first petitioner's husband namely, S.Viswanathan, between the petitioners and the private respondents

7. In view of the above, this Court directs the third respondent to conduct an enquiry in between the petitioners and the private respondents



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and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No
NCC : Yes / No

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M.DHANDAPANI,J.

RM

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