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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.9825 of 2021

J. Mariammal

... Petitioner

Vs.

1. The Insurance Regulatory and Development Authority of India,
3rd Floor, Parisrama Bhavan,
Basheer Bagh,
Hyderabad.
2. Cholamandalam Ms.General Insurance Company Limited,
Dare House II Floor,
No.02 NSC Bose Road,
Parrys Corner,
Chennai - 1.
3. M/s. Cholamandalam Ms.General Insurance Company Limited,
No.3 and 4 Dindigul National Highroad NH-7
Kalavasal, Arasaradi,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ Mandamus***, directing the 1st respondent to instruct the 2nd and 3rd respondents to honor the Insurance claim of Rs.15,00,000/-(Fifteen Lakhs) in respect of personal Accident Insurance Policy



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No.3397/0017590/000/00, dated 27.06.2019 within a stipulated period of time as directed by this Court.

For Petitioner : M/s.Mumtaz Begum

For Respondents : Mr.S.Anwar Sameem, for R-1

M/s.K.R.Shiva Shankari, for R-2 & R-3

ORDER

This writ petition is filed for *Writ of Mandamus* directing the 1st respondent to instruct the 2nd and 3rd respondents to honor the Insurance claim of Rs.15,00,000/-(Fifteen Lakhs) in respect of personal Accident Insurance Policy No.3397/0017590/000/00, dated 27.06.2019 within a stipulated time that may be fixed by this Court.

2. Heard M/s.Mumtaz Begum, the Learned Counsel appearing for the petitioner, Mr.S.Anwar Sameem, the Learned Counsel appearing for the 1st respondent, M/s.K.R.Shiva Shankari, the Learned Counsel appearing for the 2nd respondent and perused the material documents available on record.



3. The Learned counsel appearing for the respondents submitted that they are not able to trace the file.

4. In view of the aforesaid submission, this Court is of the considered opinion that the same cannot be a reason. Therefore, the petitioner is directed to submit relevant papers to the respondents, within a period of One week, from the date of receipt of a copy of the order and thereafter, the respondents shall consider the same in accordance with law, within a period of Six weeks therefrom and pass orders, sympathetically.

5. With these directions, this Writ Petition is disposed of. No Costs.

27.09.2023

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

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