



W.P(MD)No.21408 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21408 of 2014 and
WMP(MD) No.6226 of 2023

K.Muneeswari

...Petitioner

Vs.

1.The Branch Manager,
Life Insurance Corporation of India,
Rajapalayam Branch,
Rajapalayam,
Virudhunagar District.

2.V.Subbiah

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus, to call for the records of the first respondent in his proceedings No.Nil, dated 15.12.2014 and quash the same as illegal, violation of principles of law and further direct the first respondent to pay policy amount (Policy No.745819876) to the petitioner within the stipulated period to be fixed by this Court.

For Petitioner	: Mr.M.Solaisamy
For R1	: Mr.S.Karthick
For R2	: Mr.P.Arun Jayatram



W.P(MD)No.21408 of 2014

ORDER

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This writ petition has been filed challenging the communication of the first respondent/Life Insurance Corporation of India, dated 15.12.2014 and to direct the first respondent to pay the policy amount (Policy No.745819876) to the petitioner within the time fixed by this Court.

2.The case of the petitioner is that the marriage between the petitioner and one Mahesh was solemnized on 12.11.2010. At the time of marriage, the petitioner was doing MBBS and the said Mahesh was a Village Administrative Officer. The said Mahesh met with an accident and died on 10.10.2014. The petitioner after verifying with the LIC document of the deceased approached the first respondent/Life Insurance Corporation of India. The policy was taken by the said Mahesh mentioning his father/the second respondent as a nominee. Therefore, by the impugned communication, the first respondent has intimated that the policy amount would be given only to the nominee/the second



W.P(MD)No.21408 of 2014

respondent. Aggrieved over the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the first respondent submits that the purpose of mentioning a nominee's name in the LIC Policy itself is that if any untoward incident happened to the policy holder, the amount would automatically go to the nominee. In this case, the deceased Mahesh has mentioned the second respondent/his father as his nominee. Therefore, the second respondent alone is entitled to get the policy amount. However, the petitioner claiming to be the wife of the deceased has filed this writ petition as against the communication of the first respondent that the mentioned LIC amount would be given only to the second respondent/nominee.

4.It is reported that now the petitioner has completed her MBBS course. She is a doctor and she has also married another person. That apart, the petitioner, being the wife of the



W.P(MD)No.21408 of 2014

deceased, received all the death gratuity and other benefits of the deceased Mahesh, as a Village Administrative Officer.

5.This Court considered the submissions and also perused the materials placed on record.

6.The petitioner, claiming to be the wife of the deceased Mahesh has filed this writ petition challenging the communication of the first respondent/Life Insurance Corporation of India, dated 15.12.2014 and to direct the first respondent to pay the policy amount to the petitioner. It appears that at the time of marriage of the petitioner with the deceased, the petitioner was doing her MBBS course and the deceased was working as a Village Administrative Officer. On 10.10.2014, the said Mahesh died in an accident. The petitioner, being the wife of the deceased received the entire death gratuity and other benefits. In the policy taken by the deceased Policy No.745819876, the deceased has mentioned his father as a nominee. Hence, the first respondent intimated that the



W.P(MD)No.21408 of 2014

policy amount would be given only to the nominee/the second respondent alone. The petitioner claims that being the wife of the deceased, the petitioner is entitled for the amount. It is now reported that the petitioner has completed her MBBS Course and now she is a doctor. Moreover, she married another person.

7.In view of the above, this writ petition is dismissed.

The first respondent is directed to make payment of LIC amount of the deceased to the second respondent. In the event, if the second respondent is not alive, the payment shall be made to the legal heirs of the second respondent. No costs. Consequently, connected Miscellaneous Petition is closed.

24.04.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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W.P(MD)No.21408 of 2014

To

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The Branch Manager,
Life Insurance Corporation of India,
Rajapalayam Branch,
Rajapalayam,
Virudhunagar District.



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W.P(MD)No.21408 of 2014

B.PUGALENDHI, J.

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W.P(MD)No.21408 of 2014 and
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