



W.P(MD)No.19967 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19967 of 2023

Gokul Nath P

... Petitioner

Vs

1.The Zonal Manager,
Southern Zonal Office,
LIC of India,
LIC Buildings,
P.B.No. 2450, 102,
Anna Salai,
Chennai 600 002.

2.The Senior Divisional Manager,
Life Insurance Company of India,
Claims Department,
Divisional Office,
Sellur,
Madurai 625 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's objection dated 10.05.2023 and release the entire claim amount as mentioned in Policy No. 319588846 dated 28.04.2021, within the time fixed by this Court.



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For Petitioner : Mr.D.Deepak Arasu
For Respondents : Mr.S.Karthick
Standing Counsel

ORDER

This writ petition is filed for a Mandamus, directing the second respondent to release the entire claim amount as mentioned in Policy No. 319588846 dated 28.04.2021 by considering his objection, dated 10.05.2023.

2.The case of the petitioner is that his father died on 02.01.2022 due to heart attack and the petitioner's mother also died on 04.09.2022 due to Sepsis Septic Shock. The petitioner came to know about the Insurance policy taken by the petitioner's mother in Policy No.319588846, dated 28.04.2021 for a sum of Rs.10,00,000/-. Therefore, the petitioner has made a request to the second respondent/the Senior Divisional Manager, Life Insurance Corporation of India for disbursing the insurance amount. However, the second respondent has disbursed only a sum of Rs.98,039/- instead of Rs.10,00,000/-. Therefore, the petitioner has submitted a representation and filed this writ petition for a Mandamus, directing



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the second respondent to disburse the entire insurance policy amount to this petitioner, by considering his representation, dated 10.05.2023.

3.The learned standing counsel appearing for the respondents submits that the petitioner's mother has taken the insurance policy by suppressing her medical illness and hence, the petitioner is entitled only for a sum of Rs.98,039/- .

4.In reply, the learned counsel for the petitioner claims that there is no suppression on the part of his mother with regard to her illness. The petitioner is also ready to establish the same before the second respondent.

5.This Court considered the rival submissions made.

6.The second respondent under the impression that the the petitioner's mother has suppressed her illness and has taken the insurance policy, has denied to settle the entire insurance amount to



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the petitioner. Now, the petitioner submits that there is no suppression on the part of his mother with regard to her illness. The petitioner is also ready to establish the same before the second respondent.

7.In view of the above, this writ petition is disposed of with a direction to the second respondent to consider the documents, if any, placed by the petitioner and take a decision regarding the disbursement of the Insurance policy amount within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

25.09.2023

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



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To

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B.PUGALENDHI, J.

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Order made in
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25.09.2023