



W.P.(MD)No.3617 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :31.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.3617 of 2016

M/s.Mega Blue Metals,
Rep by its Proprietor,
M.Vaideki,
No.2/125A, Mallakottai Post,
Thirupathur Taluk,
Sivagangai 630 566

... Petitioner

Vs.

1.M/s.Cholamandalam MS General
Insurance Company Limited,
2nd Floor, Dare house, 2, NSC Bose Road,
Chennai 600 001.

2.Cholamandalam MS General Insurance
Company Limited,
New Millenium Complex,
No.3 & 4, 1st Floor, Dindigul High Road,
Kalavasal, Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the Impugned Order of the second respondent dated 19.01.2016 closing the claim No.3379155008 of the petitioner and quash the same and further directing the respondents to provide compensation for the damage caused petitioner's vehicle in



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Registration No.TN 63 AF 2317 in the accident dated 04.11.2015.

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For Petitioner :Mr.R.Maheswaran

For Respondents :Mr.S.Srinivasa Ragavan

ORDER

The petitioner assails an order dated 19.01.2016 by which the insurance claim of the petitioner was rejected by the respondents.

2. The respondent is a private insurer. The claim arises out of an insurance contract. For both these reasons, the present writ petition is not maintainable. Consequently, W.P.(MD).No.3617 of 2016 is dismissed by leaving it open to the petitioner to approach the jurisdictional civil court for relief. It is open to the petitioner to claim the benefit of the applicable provisions of the Limitation Act 1963 when the civil proceedings are instituted. There shall be no order as to costs.

31.03.2023

NCC :Yes/No

Internet :Yes/No

Index :Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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