



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.24217 of 2023

Rengammal

... Petitioner

v.

1.The Regional Manager,
LIC of India,
Southern Zonal Office,
No.12, Triplicane,
Chennai – 600 002.

2.The Manager (CRM),
LIC of India, Divisional Office,
Sellur, Madurai – 2.

3.The Branch Manager,
LIC of India,
Periyakulam Branch,
4/13 E, KN Buildings,
Vaigai Dam Road,
Periyakulam, Theni District.

4.Balamani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to disburse the policy amount of the petitioner's son Mookaiah S/o Suruli bearing Policy No. 747883330 issued by the third respondent to the first class legal heirs of the deceased Mookaiah.



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For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.C.Karthick for R1 to R3

Mr.R.Murali for R4

ORDER

Heard both sides.

2.The petitioner's son passed away on 21.07.2023. He had insured himself with LIC of India. The fourth respondent was shown as the nominee. As rightly submitted by the fourth respondent, the policy amount has to be paid only to her. But then, that would be a formality in this case. This is because, two days prior to the death of the policy holder, the marriage tie has been dissolved. It was the fourth respondent who filed the petition for divorce. There are no issues. Therefore, the petitioner is the sole legal heir for the deceased insured. Though in normal circumstances, the nominee has to be paid the amount, considering the special facts and circumstances of the case, the Life Insurance Corporation of India is directed to pay the amount directly to the petitioner as expeditiously as possible.

3.This writ petition is allowed. No costs.

19.12.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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