



W.P.Nos.43564 & 43565 of 2002

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.43564 & 43565 of 2002

Empee Sugars & Chemicals Ltd.
Rep.by its Managing Director,
Mr.M.P.Purushothaman,
59, Harris Road, Pudupet,
Chennai.

... Petitioner in both writ petitions

Vs.

1.The New India Assurance Co. Ltd.,
171, Thambu Chetty Street,
Karnataka Bank Building, II Floor,
Chennai 600 001.

2.Indian Bank,
Ethiraj Salai Branch,
Chennai 600 008.

... Respondents in both writ petitions

3.Bank of Maharashtra,
Mount Road,
Chennai 600 006.

4.Union Bank of India,
Industrial Finance Branch,
Chennai 600 007.

5.Federal Bank Ltd.
Chennai 600 002.

... Respondents in W.P.No.43564 of 2002



W.P.Nos.43564 & 43565 of 2002

Prayer in W.P.No.43564 of 2002: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in respect of the order dated 11.11.2002 and quash the same in so far as it denies the 25% of the assessed loss and other deductions being Rs.2,96,09,554/- towards the claim under Cyclone and Floods and consequentially direct the 1st respondent to pay the said sum of money together with interest as Rs.8,67,02,622/- at 18% per annum from 13.05.02 till payment in full.

Prayer in W.P.No.43565 of 2002: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent in respect of the order dated 11.11.2002 and quash the same in so far as it denies the 25% of the assessed loss and other deductions being Rs.47,04,707/- towards the claim under Cyclone and Floods and consequentially direct the 1st respondent to pay the said sum of money together with interest as Rs.1,63,64,197/- at 18% per annum from 13.05.02 till payment in full.

In W.P.No.43564 of 2002

For Petitioner	: Mrs.Rita Chandrasekaran for M/s.Aiyar and Dolia
For R1	: Mr.M.B.Raghavan for M/s.M.B.Gopalan & Associates
For R2, R3 & R5	: No appearance
For R4	: Mr.A.V.Arun for Mr.M.A.Arunesh

In W.P.No.43565 of 2002



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W.P.Nos.43564 & 43565 of 2002

For Petitioner : Mrs.Rita Chandrasekaran
for M/s.Aiyar and Dolia

For R1 : Mr.M.B.Raghavan
for M/s.M.B.Gopalan & Associates

For R2 : No appearance

COMMON ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The learned counsel for the first respondent Mr.M.B.Raghavan would submit that the insurance claim has already been settled in full and the cause did not exist.

2.Thus, no further adjudication is required and the writ petitions stand disposed of as infructuous. No Costs.

[S.M.S., J.]

[M.J.R., J.]

22.11.2024

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



W.P.Nos.43564 & 43565 of 2002

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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To

1.The New India Assurance Co. Ltd.,
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