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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11198 of 2021
and WMP.No.11847 of 2021

1. K.B.Srinivasa Rao
2. K.S.Rajalakshmi
3. S.Saicharan

... Petitioners

Vs.

1. The Insurance Regulatory and Development Authority of India
Consumer Affairs Department,
Grievance Redressal Cell,
Sy. No.115/1, Financial District,
Nanakramguda,
Gachibowli, Hyderabad-32.

2. United India Insurance Co. Ltd.,
24, Whites Road, Chennai-600 014.

3. United India Insurance Co. Ltd.,
Divisional Office No.10900,
Shastri Nagar Shopping Complex,
Shastri Nagar, First Floor,
Lattice Bridge Road,
Adyar, Chennai-20.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to receive the premium and renew the SYND AROGYA (Group Health Insurance Scheme) for the year 2019-2020 in Policy No.0109002818P116516500 pursuant to petitioner's representation dated 08.08.2020.



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For Petitioner : Mr.J.Srinivasa Mohan
For Respondents : Mr.E.Rajadurai
For M/s.M.B.Gopalan Associates R1
Mr.S.Dhakshinamoorthy R2 & R3

ORDER

The Writ Petition has been filed seeking a direction to the respondents to receive the premium and renew the SYND AROGYA (Group Health Insurance Scheme) for the year 2019-2020 in Policy No.0109002818P116516500 pursuant to petitioner's representation dated 08.08.2020.

2. It is the grievance of the petitioner that the petitioners took insurance policy under the Group Health Insurance Scheme SYND AROGYA with the 3rd respondent in the year 2009 and the same was renewed every year promptly without any delay. The period of renewed insurance for the year 2019-2020 is valid upto 18.03.2020. Due to such an unprecedented situation and Covid-19 pandemic period, the petitioners could not come to Chennai to pay the insurance premium in time and grace period has also over. The 3rd respondent has also informed about the expiry of the insurance to the petitioners. When the petitioners contacted the third respondent for renewal of the insurance, it was conveyed that the policy cannot be renewed as the grace period is also over.

Without having no other option, the petitioner has filed the present writ petition



seeking appropriate remedy.

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3. The learned counsel for the petitioner submitted that this Court may issue a direction to the third respondent to consider the petitioner's request and renew the insurance within the stipulated time as fixed by this Court.

4. On the other hand, the learned Standing Counsel appearing on behalf of the third respondent submitted that it is a purely contractual dispute between the petitioner and the insurance company. If there is a violation for payment, the petitioners are not entitled to renew the insurance policy. However, the petitioners representation will be considered and appropriate orders will be passed on merits within the time frame to be fixed by this court.

5. Heard the learned counsel for the petitioner and the learned Government Counsel appearing on behalf of the respondents and perused the materials available on record.

6. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, this Court directs the petitioner to make a fresh representation along with a copy of this order to



the concerned respondent within a period of two weeks from the date of receipt

of a copy of this order. Upon receipt of which, the concerned respondent

consider and pass orders on merits and in accordance with law, after providing

opportunity to the petitioner within a period of four weeks from the date of

receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

13.08.2024

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To

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