



W.P.(MD)No.4324 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.4324 of 2018

M.Alagesan

... Petitioner

/Vs./

- 1.The Manager,
Life Insurance Corporation of India,
Tirunelveli - Zone,
Palayankottai, Tirunelveli.
- 2.Indian Overseas Bank,
Central Office,
P.B.No.3765,
763, Anna Salai,
Chennai - 02.
- 3.The Branch Manager,
Indian Overseas Bank,
Tisaiyanvillai (Branch 1948),
Tirunelveli.
- 4.The Secretary,
Ministry of Finance,
Secretary to the Government of India in Finance,
Secretariat Building,
New Delhi.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to Quash the 1st respondent Claim Rejection in PMJJBY (Pradhan Mantri Jeeva Jothi Bima Yojana) Policy No.900100004 dated 28.12.2017 and direct the 1st & 3rd respondents to Settle a Policy Claim Amount Without any disturb, within the period that may be stipulated by this Court.

For Petitioner : Mr.V.Balasubramanian

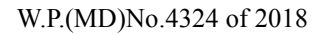
For Respondents : Mr.T.Thirumurugan (R1)
Mr.N.Dilipkumar (R3)

ORDER

This writ petition has been filed challenging the rejection of the claim under PMJJBY (Pradhan Mantri Jeeva Jothi Bima Yojana) Policy No.900100004 dated 28.12.2018 on the file of the first respondent.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner's wife had enrolled herself under PMJJBY (Pradhan Mantri Jeeva Jothi Bima Yojana) in Policy No.900100004 and



4. As per the policy condition, individual bank account holders of participating banks aged between 18 and 50 years who give their consent to / enable auto-debit, as per the modality mentioned therein, will be enrolled into the scheme. The petitioner's deceased wife holds an account with the third respondent Bank and agreed for the enrollment of the foresaid scheme, and accordingly, the premium amount was also debited from the petitioner's wife's account on 25.05.2016. However, while filing the petition, her date of birth was mentioned as 07.03.1970 which differs from the date of birth mentioned in the Aadhar card of the



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deceased wife, as 08.12.1964. Therefore, at the time of enrollment of the deceased wife, she was more than 50 years. That apart, as per the policy condition, for subscribers enrolling for the first time on or after 1st June 2016, insurance cover shall not be available for death (other than due to accident) occurring during the first 45 days from the date of enrolment into the scheme (lien period) and in case of death (other than due to accident) during lien period, no claim would be admissible.

5. Admittedly, the petitioner's wife died due to her illness and not died due to any accident. Further, she died within a period of 12 days from the date of her enrollment. Therefore the claim petition of the petitioner was rightly rejected. This Court finds no infirmity or illegality in the order passed by the first respondent and hence, this writ petition is liable to be dismissed. This writ petition is dismissed accordingly. No costs.

08.11.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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Order made in
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