



W.P.(MD)No.24111 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24111 of 2024
and W.M.P(MD).No.20393 and 20395 of 2024

N.Sri Devi

. .. Petitioner

Vs.

1.The Authorised Officer,
State Bank of India,
Regional Business Office-4,
Dindigul, Plot No.5, Rajakapatti Pirivu,
Trichy Bypass Road,
Dindigul 624 004.

2.The Branch Manager,
State Bank of India,
Thadicombu Road Branch,
Vedasandur, Dindigul 624 001.

3.SBI Life Insurance Company Ltd.,
rep., by its Authorised Signatory,
State Bank of India,
Thadicombu Road Branch,
Vedasandur, Dindigul 624 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings dated 01.03.2021 in policy No.70000018311 issued by the third respondent and quash the same as illegal and consequently direct the third respondent to settle the death claim amount towards the claim made by the second respondent.



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For Petitioner : Mr.K.Kharikharadas

For Respondents : Mr.C.Karthick (for R1 & R2)

ORDER

Challenging the communication dated 01.03.2021 issued by the third respondent rejecting the petitioner's insurance claim on the ground that her husband suppressed two existing ailments while taking the policy, this writ petition has been filed.

2. At the outset, this Court is of the view that the writ petition is not maintainable. Whether there was any pre-existing ailments suppressed by the petitioner's husband or not, is the disputed fact, which has to be established in the manner known to law before the appropriate forum. Therefore, the petitioner has to approach the Consumer Redressal Forum or the competent civil Court, not this Court.

3. In view of the above, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

14.10.2024

Index : Yes / No

NCC : Yes / No

Rmk



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N.SATHISH KUMAR, J.

Rmk

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