



W.P.(MD)No.24213 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24213 of 2024

K.Parvathi

... Petitioner

Vs.

1.The Zonal Manager,
Southern Zonal Office,
Life Insurance Corporation of India,
LIC Buildings,
P.B.No.2450, 102, Anna Salai,
Chennai.

2.The Senior Divisional Manager,
Life Insurance Corporation of India,
Claims Department, Divisional Office,
Sellur, Madurai.

3.The Branch Manager,
Life Insurance Corporation of India,
Batlagundu Branch,
Dindigul District.

... 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 order passed by the second respondent through his proceedings vide in Claims/74T/VR dated 27.10.2023 and quash the same as illegal and consequently direct the respondents to disburse the full death claim with nominal interest of 12% pa to till date of payment in respect of



W.P(MD)No.24213 of 2024

petitioner deceased son K.Krishnamoorthy LIC policies vide 325826626 and 319557435 with the third respondent.

For Petitioner : Mr.T.Indirachithu
For Respondents : Mr.C.Karthik

ORDER

Challenge has been made to the repudiation of insurance claim.

2.Mr.C.Karthick, learned Counsel, takes notice for the respondents.

By consent of both parties, this writ petition is taken up for final disposal.

3.It is the grievance of the petitioner that the petitioner's son had taken two insurance policies and was regularly paying the monthly installments. While so, the son of the petitioner died on 03.02.2023. When the petitioner sought to release the death claim amount, the claim has been repudiated on the ground that there was a suppression of material facts. Challenging the same, the petitioner has filed this writ petition.

4.Considering the facts and circumstances of the case, this Court is of the view that since the policy has been repudiated on the ground of suppression of materials facts, it is for the petitioner to establish those facts in an



W.P(MD)No.24213 of 2024

appropriate manner before the competent Consumer Redressal forum or the civil Court. For the purpose of establishing the material facts, writ petition cannot be maintained. Accordingly, this writ petition is dismissed. The petitioner is at liberty to file a consumer complaint or a civil suit to redress his grievance. No costs.

17.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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W.P(MD)No.24213 of 2024

N.SATHISH KUMAR, J.

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W.P(MD)No.24213 of 2024

17.10.2024