



W.P.(MD) No.15641 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.15641 of 2017

P.M.Ponmani

... Petitioner

/vs./

- 1.The Insurance Ombudsman,
Fathima Akhtar Court, 4th Floor,
453, Anna Salai,
Teynampet,
Chennai 600 018.
- 2.The Life Insurance Corporation of India,
rep by its Zonal Manager,
LIC of India, LIC Building,
P.B..No.2450, 102, Anna Salai,
Chennai -2.
- 3.The Life Insurance Corporation of India,
rep by its Senior Divisional Manager,
LIC of India, Jeevan Prakash,
Divisional Office,
P.B..No.16, Bridge Station Road,
Sellur, Madurai.



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4.Life Insurance Corporation of India,
rep by its Senior Divisional Manager,
Claims Department,
Divisional Office,
Sellur, Madurai 625 002.

5.Life Insurance Corporation of India,
rep by its Senior Manager,
LIC of India, Thallakulam Branch,
Madurai 02.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned letter issued by the 1st respondent in his award dated 24.07.2017 in reference No. CHN-L-029-1718-0025 and quash the same as illegal, consequently direct the respondent No.2 to 4 herein to disburse the claim made by the petitioner based on the insurance policy No.747628500 within the stipulated period that may be fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For R1 : No appearance

For R2 to R5 : Mr.S.Anwar Sameem

ORDER

The writ petition has been filed challenging the letter issued by the first respondent dated 24.07.2017 in reference No.CHN-L-029-1718-0025.



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2. In view of the judgment of the Hon'ble Supreme Court reported in ***AIR 1966 SC 1644***, the writ petition cannot be entertained, when there has been a repudiation of claim by the insurer.

3. In the light of the same, the present writ petition cannot be entertained by this Court. However, liberty is granted to the petitioner to approach the appropriate civil Court for remedying his grievances. If the petitioner approaches the civil Court, the period of pendency of this writ petition shall stand excluded while calculating the period of limitation.

4. With the aforesaid directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Index : Yes / No
Internet : Yes / No
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