



W.P (MD).No.27021 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2024

CORAM

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

W.P (MD).No.27021 of 2023

M.Gomathi

...Petitioner

Vs.

1.The Executive Director,
Indian Oil Corporation Limited (Marketing Division),
Indian Oil Bhavan,
139, Mahatma Gandhi Road,
Nungambakkam High Road,
Chennai.

2.The Chief Manager,
Indian Oil Corporation Limited,
Indane Area Office,
No.2, Race Course Road,
Chokkikulam,
Madurai.

3.Bismi Indane Gas Agency,
74/2H Alagar Kovil Main Road,
Melur Taluk,
Madurai District.

4.ICICI Lombard Insurance Company Ltd.,
1st Floor Northern side,
AA Towers, Plot No.5,
Bye Pass Road,
Madurai-625 010.
(R4 is suo motu impleaded vide Court
Order dated 10.11.2023)

...Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the second respondent to issue compensation based on the petitioner's representation dated 21.09.2023.

For Petitioner : Mr.S.Arunnithy
For R1 & R2 : Mr.K.Muralidharan
For R4 : Mr.P.Pethurajesh

ORDER

This writ petitioner has been filed for a direction directing the second respondent to pay the compensation on the death of the petitioner's mother due to fire accident.

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

3. The petitioner's mother had Gas connection with the third respondent under the customer No.7056370614. While being so, on 18.02.2023 when the petitioner was cooking, there was a gas leakage from the Cylinder and due to which, there was a fire accident. The petitioner's mother sustained grievous fire injuries and immediately, she was admitted in the Government Hospital, Melur and thereafter, she shifted into the Rajaji



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Government Hospital, Madurai, however she died on 23.02.2023 due to burn injuries. The petitioner gave a complaint before the Melavalavu Police Station and the FIR was also registered in Cr.No.53 of 2023 under Section 174 Cr.P.C. The petitioner is being the daughter of the deceased submitted a representation claiming compensation before the third respondent.

4. On a perusal of the counter affidavit filed by the second respondent revealed that there is no quarrel that the petitioner's mother was customed under the third respondent. In view of the LPG fire accident, the petitioner's mother died and the same was immediately intimated to the Insurance company namely the fourth respondent herein and forwarded the claim under the Policy No.4008/220359545/01. The policy is also valid from 01.04.2022 to 31.03.2023. The claim reference is LIA051569102. However, the claim which was forwarded by the third respondent is pending with the fourth respondent.

5. In view of the above, the fourth respondent is directed to consider the claim forwarded by the third respondent and disburse the compensation under the Policy No.4008/220359545/01, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, the writ petition is disposed of. No costs.

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Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

19.12.2024

To

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G.K.ILANTHIRAIYAN, J.

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19.12.2024