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WP.No.528 of 2025

In the High Court of Judicature at Madras

Dated : 23.7.2025

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

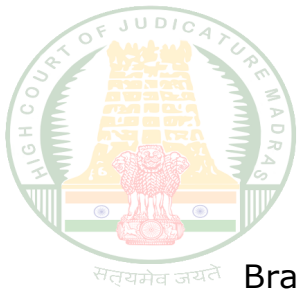
Writ Petition No.528 of 2025

A.Thendral

Vs

...Petitioner

- 1.SBI Life Insurance Company Limited, Central Processing Centre, 7th Level (D Wing) & 8th Level, Seawoods Grand Central, Tower-II, Plot No.R1, Sector 40, Seawoods Nerul Node, Navi Mumbai-400706.
- 2.SBI Life Insurance Company Limited, Registered and Corporate Office, Natraj, M.V.Road & Western Express Highway Junction, Andheri (East), Mumbai-400069.
- 3.SBI Life Insurance Company Limited, No.6, 3rd Floor, Centennial Square, Dr.Ambedkar Road, K.G.NTR Heritage, Murugesan Nagar, Kodambakkam, Chennai-24.
- 4.The Branch Manager, SBI Life Insurance Company Limited,



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Branch Office, No.13-A,
II Floor, SBI Campus,
Nethaji Road, Manjakuppam,
Cuddalore-1.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the value of insurance amount payable under the two insurance policies in Policy bearing No.51351266402 for a sum assured Rs.10,00,000/-(Rupees Ten Lakhs only) and another Policy bearing No. 45547713604 dated 30.9.2021 for a sum of Rs.1,00,00,000/-(Rupees One Crore only) along with interest for the delay till date of payment in consideration of representation submitted by the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan
For R1 to R4 : Mr.V.Kuberan

ORDER

This writ petition has been filed seeking for a direction to the respondents to consider the representation of the petitioner to disburse the sum assured in two insurance policies that were taken in the name of her husband.

2. Heard both.

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3. The case of the petitioner is as follows :

(i) The petitioner's husband - one Mr.S.Arunkumar had taken an insurance policy with SBI Life Insurance Company Limited dated 08.2.2019 for a sum assured to the tune of Rs.10 lakhs with the premium amount of Rs.50,000/- for a term of 5 years. In this insurance policy, the petitioner's minor daughter was shown as the nominee and the petitioner was the appointee.

(ii) Apart from that, the petitioner's husband had also taken another insurance policy dated 30.9.2021 for the sum assured to the tune of Rs.1 Crore with the premium payment of Rs.18,532.50 Ps for a term of 32 years, in which, the petitioner's minor son was shown as the nominee and the petitioner was the appointee.

(iii) The petitioner's husband died on 08.5.2023 leaving behind the petitioner and her two minor children. She applied to the respondent - Insurance Company seeking for the sum assured under the said two policies. On receipt of the representation, the respondent - Insurance Company directed the petitioner to submit all the relevant documents. Further, all the documents were submitted except the original policies, which were missing. Two indemnity bonds were executed for the claim in the place of the original insurance policies.



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(iv) In the meantime, the petitioner's mother-in-law gave a complaint, based on which, Crime No.140 of 2023 was registered on the file of the Inspector of Police, Kadampuliyur Police Station, Cuddalore District under Section 174 of the Criminal Procedure Code on the ground of suspicious death. Pursuant to that, on completion of the investigation, a referred charge sheet was also filed before the Judicial Magistrate No.2, Panruti.

(v) Subsequently, the petitioner sent a representation to the respondent - Insurance Company seeking for payment of the sum assured under the said two policies. Since it did not evoke any response, the above writ petition has been filed.

4. The learned counsel appearing for the respondents submitted that even though a referred charge sheet was stated to have been filed by the police, no order has been passed by the concerned Court and that the petitioner was directed to produce a copy of the order from the concerned Court and a succession certificate in order to establish that she is the wife of the deceased - the said Mr.S.Arunkumar.



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5. In the considered view of this Court, the relationship of the petitioner with the deceased - the said Mr.S.Arunkumar is not disputed since the two minor children are the nominees in each of the policies and the petitioner is the appointee. Therefore, it is enough if the relevant documents are collected from the petitioner to substantiate her relationship with the deceased as his wife.

6. In so far as the referred charge sheet that was filed by the police is concerned, it is left open to the petitioner to file a copy application before the learned Judicial Magistrate No.2, Panruti and on receipt of the same, the learned Judicial Magistrate No.2, Panruti shall issue a certified copy of the order accepting the referred charge sheet filed by the Inspector of Police, Kadampuliyur Police Station, Cuddalore District. The same shall also be furnished to the respondents. After receipt of the relevant documents, the respondents shall process the request of the petitioner and pay the sum assured under the two insurance policies within a period of eight weeks from the date of receipt of a copy of this order.



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7. The writ petition is disposed of in the above terms. No costs.

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