



WEB COPY



W.P.No.35028 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.35028 of 2025
and W.M.P.No.39182 of 2025

Rizwan

... Petitioner

Vs

1.The Chairperson
Insurance Regulatory & Development Authority of India (IRDAI)
SY No.115/1, Final District, Nanakramgudu,
Gachibowlim Telangana,
Hyderabad-500032.

2.M/s United India Insurance Company Ltd,
24, Whites Road,
Chennai-600014.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records with respect to 2nd respondent's rejection for petitioner's individual health insurance policy proposal communicated via email dated 03.06.2025, quash the said rejection as being discriminatory and consequently direct the 2nd respondent to issue an Individual Health Insurance Policy to the petitioner in accordance with prevailing rules and regulations, without any discrimination on grounds of mental illness.

For Petitioner

: Mr.C.Prabhu



W.P.No.35028 of 2025

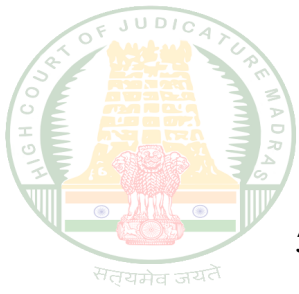
ORDER

WEB COPY Challenging the order of rejection passed by the 2nd respondent dated 03.06.2025, the present Writ Petition has been filed.

2. Since no adverse order is being against the respondents, notice to the respondents is dispensed with.

3. It is the case of the petitioner that the petitioner's proposal for individual health insurance policy was rejected by the 2nd respondent vide the present impugned order dated 03.06.2025 on the ground that the petitioner is not in good health as he is suffering from pre-existing illness i.e., Schizophrenia. Aggrieved with which, the petitioner has come up with the present Writ Petition.

4. Learned counsel for the petitioner submits that though the petitioner had honestly disclosed the fact that he is suffering from Schizophrenia which is only a mental illness for which he is already taking medicines and yet the same is not a serious health condition, his proposal for health insurance policy has been rejected by the 2nd respondent vide the present impugned order, hence, the same is non-est in law and is liable to be quashed.



W.P.No.35028 of 2025

5. Even according to the petitioner, the petitioner is suffering mental illness viz., Schizophrenia for which he is taking medicines and on the said ground his proposal for insurance policy is rejected.

6. As against the order impugned herein, there is an effective remedy available for the petitioner before the Insurance Ombudsman. Without resorting to the said remedy, the petitioner cannot invoke an extraordinary jurisdiction of this Court under Article 226 of the Constitution of India seeking the aforesaid relief. Hence, the prayer sought for in this Writ Petition cannot be acceded to. However, it is open to the petitioner to approach the Insurance Ombudsman to workout their remedy in the manner known to law.

7. This Writ Petition stands disposed of with the aforesaid liberty. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

16.09.2025

Index: Yes/No

Internet: Yes

Speaking/Non-Speaking order

Nhs



WEB COPY



W.P.No.35028 of 2025

M.DHANDAPANI, J.

Nhs

To

1.The Chairperson
Insurance Regulatory & Development Authority of India (IRDAI)
SY No.115/1, Final District, Nanakramgudu,
Gachibowlim Telangana,
Hyderabad-500032.

2.M/s United India Insurance Company Ltd,
24, Whites Road,
Chennai-600014.

W.P.No.35028 of 2025
and W.M.P.No.39182 of 2025

16.09.2025