



W.P. No.42424 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.42424 of 2025

and

W.M.P. Nos.47464 and 47470 of 2025

1. Samson R K

2.M.Melvin Samuel (Minor)

3.S.Marvin (Minor),

Petitioners

Vs

1. The Branch Manager,
LIC, Thiruthani Branch,
No.6, Akkaiah Road,
Murugappa Nagar, Nehru Nagar,
Thiruttani 631 209.

2.The Zonal Head Officer
LIC Southern Zonal Office
102, Anna Salai, Triplicane,
Chennai – 600 002.

3.The Commissioner of Police,
Avadi Police Commissionerate
Chennai 600 054.

4.B.Tharunraj (Minor)
Represented by his Father and Natural
Guardian Mr. Bharathiraja
Kudiyanam Street,
Ambedhkar Mandram Opposite,



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Ammanoor, Arakonam 631 002.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records relating to the impugned reply letter /order dated 04.09.2025 issued by the 1st respondent in respect of the Policy No.316748609 of Late Mrs. Mercy and quash the same and further direct the 1st respondent to disburse the above insurance claim to the petitioners in accordance with law.

For petitioners : Mr.A.M. Packinathan Easter
for Easter Legal

For respondents : Mr.S.P. Chockalingam for R1 & R2
Mr.S.Balaji,
Govt. Advocate (Crl. Side) for R3

ORDER

This writ petition has been filed by the husband of the deceased along with his two minor sons, seeking to quash the impugned letter dated 04.09.2025 issued by the 1st respondent/LIC, whereby the death claim under Policy No. 31648609 of the deceased M. Mercy was rejected on the ground that the policy amount had been settled in favour of the nominee, namely the deceased's sister's minor son, and for a consequential direction to disburse the policy benefits to the petitioners as Class I legal heirs.

2. It is stated that the 1st petitioner's wife, M. Mercy, who was serving as a Sub-Inspector of Police, died in a road accident while on duty on
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20.03.2025. She had a valid insurance policy with the 1st respondent. The 1st petitioner, husband and natural guardian of two minor petitioners has submitted a representation dated 01.09.2025 seeking settlement of the death claim. Subsequently, the 1st respondent, by its letter dated 04.09.2025, rejected the claim solely on the ground that the policy contained a nomination in favour of the 4th respondent, the deceased's sister's minor son. It is the contention of the petitioners that such rejection is arbitrary and contrary to settled law, as the 1st petitioner and his two minor sons, who are I Class Legal Heirs to his deceased wife and therefore entitled to the policy benefits. Aggrieved by the said rejection order dated 04.09.2025 issued by the 1st respondent, this writ petition has been filed.

3. Learned counsel for the petitioners submitted that only lawful legal heirs of the deceased Mercy, viz., petitioners herein are alone entitled to settlement of death claim, whereas the 1st respondent vide Communication dated 04.09.2025 stated that the 4th respondent name has been mentioned in the nomination form. Thus, the said Communication dated 04.09.2025, which is impugned herein is arbitrary and the same has to be quashed and sought further directions to the 1st respondent to disburse the above insurance claim to the petitioners herein.



4. Learned counsel appearing for the respondents 1 & 2 submitted that even prior to the filing of the present writ petition, the policy amount had already been settled and paid in favour of the nominee as per the nomination made in the policy. Therefore, the respondents 1 & 2 are not in a position to act further. He also submitted that if the petitioners have any grievance regarding entitlement to the policy proceeds, their remedy lies only against the nominee who has already received the amount, by approaching the competent civil court. He further submitted that the Insurance Company has acted strictly in accordance with the policy terms and the statutory provisions governing payment to nominees and cannot be compelled any further.

5. This Court has considered the rival submissions and perused the materials on record.

6. It is not in dispute that the deceased had nominated her sister's minor son (4th respondent) as nominee under the policy and that the 1st respondent has already settled the policy amount in favour of the said nominee prior to the filing of the writ petition. Once the insurer has discharged its obligation by paying the policy proceeds to the nominee, no further direction can be issued against the Insurance Company. The question as to whether the nominee holds the amount for the benefit of the legal heirs and the inter se rights between the petitioners and the nominee involve disputed questions of fact and civil rights,



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which cannot be adjudicated in exercise of writ jurisdiction under Article 226 of the Constitution of India.

7. In view of the above, this Court is not inclined to interfere with the impugned communication dated 04.09.2025 or grant the relief sought against the 1st respondent. However, liberty is granted to the petitioners to work out their remedy, if any, before the competent civil Court in the manner known to law, as against the nominee who has received the policy amount.

8. With the aforesaid directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2



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M. DHANDAPANI, J.

vsi2

To

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