

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 17.09.2025**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.20374 of 2025 AND**
W.M.P.(MD)No.15770 of 2025

Minor.S.Jeyasujan,
through his mother and natural guardian
Sugapriya.

... Petitioner

Vs.

1. The Branch Manager,
Life Insurance Corporation of India,
Madurai Division-3,
Motta Gopuram, Madurai.

2. C.Rajendran

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to disburse the insurance policy amounts to the tune of Rs.5,00,000/- (Rupees Five Lakhs only) vide policy No.744962025 and a sum of Rs.1,00,000/- (Rupees One Lakh only) vide policy No.743813112 to the petitioner's bank account bearing in Account No.42820100014977, Bank of Baroda held at Adambakkam Branch, Chennai by considering the representation dated 01.07.2025 within the time stipulated by this Court.



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For Petitioner : Mr.V.Gubanthiran

For R-1 : Mr.S.Karthick

For R-2 : Mr.V.Manikandan

* * *

ORDER

Heard both sides.

2. One Sasikumar, father of the writ petitioner passed away on 24.05.2016. He left behind his wife Suga Priya, son Jeyasujan and mother Indiradevi as his surviving legal heirs. Sasikumar had taken two insurance policies with the first respondent. On account of opposition from the second respondent, the policy amounts were not disbursed. The petitioner Suga Priya filed W.P.(MD)No.21287 of 2016. The writ petition was disposed of on 30.03.2023 in the following terms:-

“ 6. Accordingly, W.P(MD).No.21287 of 2016 is disposed of by leaving it open to the petitioner to submit a fresh claim form to the first respondent after obtaining a succession certificate or, in the alternative, by submitting a legal heirship certificate and a no claim certificate from the



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second respondent. There shall be no order as to costs.”

3. Now for the very same relief, the minor child had come before this Court represented by his mother, namely, Suga Priya. As rightly pointed out by the learned Standing counsel for LIC as well as the learned counsel for the second respondent, this writ petition is not maintainable. The petitioner may have to work out his rights as per the order dated 30.03.2023 in W.P.(MD)No.21287 of 2016. But I propose to render substantial justice. Admittedly, the relationship among the parties is not in dispute. The second respondent Rajendran is not a class-I legal heir. Indira Devi, mother of Sasikumar is however no more. Indira Devi was entitled to claim of 1/3rd share in the estate of her son. After her demise, her 1/3rd share will be given to Rajendran, husband of Indira Devi, grandchild and the writ petitioner herein. Thus, technically speaking, Rajendran may not be entitled to 1/3rd share in the policy amounts. However, the writ petitioners are willing to forego their claim on the remaining 1/3rd share and they informed this Court that they are ready to forego the entire 1/3rd share of the policy amounts.



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4. It is true that Rajendran alone has been shown as the nominee as per the statutory provisions. LIC has to disburse the amount only to the nominee. But then, the nominee cannot appropriate for himself. He is like a trustee and the policy amounts received by the nominee will have to be disbursed to the legal heirs in terms of Succession Laws. Admittedly, the petitioners are entitled to $2/3^{\text{rd}}$ share of the policy amounts, they do not make any further claim. The first respondent is directed to disburse $2/3^{\text{rd}}$ share of the policy amount to the petitioners together with accrued interest if any, as follows:-

a) $1/3^{\text{rd}}$ share of the policy amount shall be disbursed to the second respondent herein.

b) $1/3^{\text{rd}}$ share of the policy amount shall be disbursed to Suga Priya, wife of Sasikumar.

c) The remaining $1/3^{\text{rd}}$ share of the policy amount shall be deposited in the name of the minor children S.Jeyasujan in any nationalised Bank and Jeyasujan can withdraw the same after attaining majority. Mother Suga Priya can of course withdraw the accrued interest from the Fixed Deposit once in three months.



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This writ petition stands allowed accordingly. No costs.

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Consequently, connected miscellaneous petition is closed.

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NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

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