IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 28187 of 2023
AND WMP NO. 27709 OF 2023

P.Srividhya
W/o.J.Rajan Dhayanidhi,
Door No.5/514, A2 Ofcons
Swathi Apartments,
No.1, Appar Street,
Medavakkam, Chenani- 600 100.

Petitioner(s)

Vs

1. The Rbi Ombudsman
C/o.Reserve Bank Of India,
Fort Glacis, Rajaji Salai,
Chennai- 600 001.

2.The Grievance Redressal Officer/
Ombudsman
Bajaj Allianz Life Insurance Company
No.497 And 498, 5th Floor,
Isana Kattima Building,
Poonamallee High Road,
Arumbakkam , Chennai- 600 106.

3.The Authorised Officer
Bajaj Allianz Life Insurance Company
Limited, (irdai Regn.No.116)
Bajaj Allianz House, Airport Road,
Yerwada, Pune- 411 006.

4.The Authorised Officer
Bajaj Housing Finance Ltd.,
Having Its Branch Office At.
Unit No.804, 805, 806, 5th Floor,

Delta Wing, Raheja Towers,
No.177, Anna Salai, Chennai- 002.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to sanction the insurance amount to the petitioner in respect of insurance Policy No. 034230606 and Settle the same to the 4th respondent in respect of loan account Nos.403HSL99953349, 403TSH99957336, H40SVPL0461501.

For Petitioner(s): Mr.D.Rajagopal

For Respondent(s): Mr.S.Namasivayam for R3
Ms.M.Nagalakshmi for R4
R1 & 2 No appearance

ORDER

This writ petition has been filed to direct the 2nd and 3rd respondents to sanction the insurance amount to the petitioner in respect of insurance Policy No.034230606 and Settle the same to the 4th respondent in respect of Loan Account Nos.403HSL99953349, 403TSH99957336 & H40SVPL0461501.

2. The learned counsel for the petitioner would submit that in the year 2018, the petitioner had availed housing loan from the 4th respondent to the tune of Rs.16,77,000/- and Rs.6,32,000/- vide two loan accounts. Subsequently, in the year 2021, the petitioner had suffered with critical illness and 80% of locomotive disorder. In this regard, a medical certificate was also produced before this Court. Due to the said critical illness, the petitioner was unable to

repay the loan amount to the 4th respondent. Under these circumstances, the 4th respondent had invoked SARFAESI proceedings and sent a notice dated 08.07.2022.

3. Further, he would submit that subsequent to the aforesaid notice, a writ petition in WP.No.11949 of 2023 was filed by the petitioner, wherein this Court vide order dated 13.06.2023, had directed the petitioner to make her representation before the 2nd respondent. Pursuant to the said order, the petitioner had filed her grievances before the 2nd respondent by virtue of a representation dated 26.08.2023. The said representation was not considered till date. Hence, this petition.

4. On the other hand, the learned counsel for the 2nd & 3rd respondent would submit that upon receipt of the petitioner's claim, the 2nd respondent had made an attempt to call for the relevant documents from the petitioner. However, they were unable to contact her. Hence, he would submit that if all the relevant documents are furnished by the petitioner, her claim petition will be duly considered by the 2nd respondent. Thus, he requests this Court to pass appropriate orders.

5. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

6. In the case on hand, the petitioner had borrowed money from the 4th respondent in the year 2018. Simultaneously, on 17.08.2021, she had also took an insurance policy from the 2nd & 3rd respondents, wherein it was categorically stated that if the policy holder dies or sustains critical illness, then the insurance company- 3rd respondent will settle the loan amount to the finance company- 4th respondent.

7. Thereafter, in the year 2021, the petitioner had suffered with critical illness and affected with 80% locomotive disability. Consequently, she was unable to repay the loan amount to the 4th respondent. Therefore, she approached the 2nd & 3rd respondents and made a claim, vide representation dated 26.08.2023, requesting them to cover the outstanding loan amount as per the insurance issued by them in the year 2018.

8. Today, it was submitted by the 2nd & 3rd respondents that upon receipt of the aforesaid claim, several attempts were made to contact the petitioner for producing additional documents. However, they were unable to do so. In this regard, an undated letter, sent by the 2nd respondent to the petitioner, was also produced before this Court.

9. For ready reference, the list of documents, as mentioned in the

aforesaid undated letter, is extracted hereunder:

i) Original policy document(s)
ii) Intimation letter
iii) NEFT mandate form attested by bank authorities or copy of cancelled cheque or bank account passbook
iv) Attested copies of medical records/ Indoor papers of the hospital
v) Disability claim form
vi) Discharge summary of hospitalization
vii) Attendant Physician statement form
viii) Nominee's photo identity proof such as a copy of passport, pan card, voter identity card, aadhar (UID) card.
ix) All related medical examination reports, e.g.- last test reports, x-ray/CT scan/ MRI/ultrasonography.

10. In such view of the matter, this Court directs the petitioner to provide all the aforesaid documents to the 2nd & 3rd respondents within a period of 4 weeks from the date of receipt of a copy of this order. Upon receipt of those documents, the 2nd & 3rd respondents are directed to consider the petitioner's representation dated 26.08.2023 and release the claim amount to settle the loan amount to the 4th respondent forthwith.

11. It is made clear that while considering the petitioner's representation, only aspect that has to be verified, by the 2nd & 3rd respondent, is as to whether the petitioner is suffered with critical illness or not. Once the critical illness is proved, certainly, the petitioner is entitled for the claim amount.

12. Further, this Court directs the respondents to maintain status *quo* until the disposal of petitioner's representation.

13. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.

17-04-2026

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

To

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2.The Grievance Redressal Officer/ Ombudsman
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KRISHNAN RAMASAMY J.
nsa

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