



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 31196 of 2023

M.Muthammal,
W/o.Late.Mohan,
No.1/154, Walajabad Salai,
Vandalur, Chennai-600 048.

Petitioner(s)

Vs

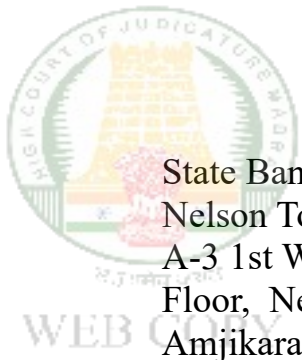
1.The Reserve Bank Of India,
Fort Glacis Rajaji Road,
Fort St. George, Chennai-01.

2.The Chief Operating Officer,
State Bank Of India Life Insurance Co. Ltd.,
7th Level D-wing And 8th Level,
Seawoods Rand Central,
Tower-II, Plot No.R 1 Sector 40 Seawood
Nerual Node, Thane District,
Navi Mumbai-400 706.

3.SVP And Head Client-relationship And
Customer Engagement,
7th Level (D-wing) And 8th Level Seawoods
Grand Central, Tower-II,
Plot No.R 1 Sector 40 Seawood Nerul Node,
Thane District, Navi Mumbai-400 706.

4.The Regional Director,
State Bank Of India Life Insurance Co Ltd.,
Centennial Square,
4th Floor, 6A, Dr.Ambedkar Road,
Kodambakkam, Chennai-600 024.

5.The Senior Branch Sales Manager



State Ban Of India Life Insurance Co Ltd.,
Nelson Towers New No.51, Old No.117,
A-3 1st Wing 1st Floor And A-4 1st Wing 2nd
Floor, Nelson Manickam Road,
Amjikarai, Chennai-29.

6.The Branch Manager,
State Bank Of India Vandalur Branch,
Chennai-48.

7.The Office Of The Insurance Ombudsman,
Fathima Akthar Court, 4th Floor, 453,
Anna Salai, Teynampet, Chennai-18.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, to direct the respondents 2 and 5 to release the amount that was paid by the petitioner's husband for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest to the petitioner.

For Petitioner(s): Mr.M.Murugan

For Respondent(s): Mr.C.Mohan
and Ms.A.Rexy Josephine Mary
For M/s.King and Partridge For R1
Mr.Harshit S.Jain
For M/s.Rank Associates
For R2 to R5
No Appearance For R6 & R7

ORDER

This writ petition has been filed seeking to direct the respondents 2 and 5 to release the amount that was paid by the petitioner's husband for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest to the petitioner.



2.Learned counsel for the petitioner would submit that during the life time of the petitioner's husband, he has taken a policy in SBI Life and paid a premium amount of Rs.5,00,000/- in the year 2014. Thereafter, the petitioner's husband died on 31.10.2017. The petitioner could not pay the other premiums. Therefore, the petitioner intend to surrender the policy and made representation in this regard to the respondents. However, it was informed to the petitioner that the policy was lapsed and it is non-refundable.

3.Learned counsel appearing for the respondents 2 to 5 would submit that as per the terms and condition of the policy, the petitioner is entitled to surrender the policy only when minimum of three premiums were paid. Therefore, in the present case, the petitioner is not entitled to surrender the policy.

4.In reply, learned counsel for the petitioner would submit that the petitioner's husband is illiterate and he approached the 6th respondent Bank only to open a Fixed Deposit account. The agent of the 6th respondent bank without explaining about the policy has induced the petitioner's husband to invest Rs.5,00,000/- in said policy. According to the petitioner the petitioner and her husband were not at all aware that the amount was invested in the Policy, they



were only under the impression that the amount was deposited in the Fixed Deposit.

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5. Heard the learned counsel for the petitioner as well as the learned counsel for the respondents.

6. Considering the submissions made by both parties, it is evident that the according to the petitioner, the petitioner's husband intended to deposit the money only in the Fixed Deposit. However, the respondents 2 and 5 taking advantage of his illiteracy, invested the money in the insurance policy, without his knowledge. The issue before this Court involves disputed questions of fact, which cannot be decided in the present writ petition. Therefore, these issues have to be decided before the Civil Court or the Consumer Forum.

7. In view of the above, this writ petition is disposed of. No costs.

24-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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