



W.P(MD)No.5664 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.5664 of 2025

S.Mariyayi

.. Petitioner

Vs

1.Insurance Regulatory and Development Authority of India,
Rep. through its Chairman,
Sy.No.115/1, Financial District,
Nanakramguda,
Gochibowli,
Hyderabad - 614 616.

2.Universal Sampo General Insurance Co. Ltd.,
Rep. through its Branch Manager,
Door No.10/20, JK Plaza,
First Floor, Bye Pass Road,
Madurai - 625 010.
Now having office at,
D.No.127A, Desiya Vinayagar Koil Street,
R.S.No.221/4B and 221/13A3,
K.Pudur,
Madurai - 625 007.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to grant the insurance claim of Rs.15,00,000/- in favour of the petitioner cum Nominee as per the police under 2nd respondent.



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For Petitioner : Mr.B.Pravinkumar

For Respondents : Mr.N.Shylappakalyan for R2

ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus directing the respondents to disburse an insurance claim of Rs.15,00,000/- in her favour, as nominee, under a policy issued by the second respondent.

2.The petitioner's son died in a road traffic accident. While the damage to the vehicle has already been settled by the insurance company, the petitioner now seeks payment under the personal accident coverage.

3.It is not in dispute that the second respondent is a private insurance company and the claim arises out of a contractual relationship between the petitioner and the insurer. In such circumstances, the second respondent cannot be treated as a "State" within the meaning of Article 12 of the Constitution of India. Therefore, a writ of mandamus cannot be issued against the second respondent in respect of a purely contractual dispute.



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4. In view of the above, this writ petition is disposed of, granting liberty to the petitioner to approach the appropriate forum for redressal of her grievance in accordance with law. No costs.

26.03.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes
skn



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HEMANT CHANDANGOUDAR, J.

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