

(1939) 03 MAD CK 0043

In the Madras High Court

**In Re: K.C. Pandalai, representing South Indian General Assurance Co.
Ltd. and Others**

Date of Decision : 14-03-1939

Acts Referred:

Life Assurance Companies Act, 1912 — Section 4(1)

Citation : AIR 1940 Mad 760 : (1940) 51 LW 534

Hon'ble Judges : Lakshmana Rao, J

Bench : Division Bench

Judgement

Lakshmana Rao, J.—The appellants are the South Indian General Assurance Co. Ltd., Mr. K.C. Pandalai, a director of the company, and K.C. Pandalai and Co., the managing agents of the company though all were represented by the second appellant, and they pleaded guilty to the charge u/s 4(1), Life Assurance Companies Act (6 of 1912). Section 34 of the Act provides that any life assurance company which makes default in complying with any of the requirements of the Act and every director, manager or secretary or other officer or agent of the company who is knowingly a party to the default shall be punishable with fine, and there is no force in the contention that besides the company only persons falling under any one of the specified categories can be punished. The punishment of the appellants is therefore legal and having regard to the period of default the fine cannot be said to be excessive. The appeal therefore fails and is dismissed.