



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM

THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. (MD) No.15502 of 2016

WEB COPY

Dr.P.Suriya Prabha

.. Petitioner

vs.

The Director of Pension,
D.M.S.Complex,
Chennai-600 006.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondent to consider the Petitioner's representation, dated 31.03.2016.

For Petitioner : Mr.S.Venkata Subramaniyan
For Respondent : Mr.S.Bharathi
Government Advocate

ORDER

Heard the Learned Counsel for the Petitioner and the Learned Government Advocate for the Respondent.

2.By consent, the writ petition is taken up for final hearing.

3.No Counter affidavit is filed.

4.According to the Petitioner, she had addressed a representation to the Respondent on 31.03.2016 stating as under:-

"I was appointed on 27.11.1976, as Assistant Surgeon in Tamil Nadu Health Services and retired on 19.05.2002 as Senior Civil Surgeon in the Directorate of Medical & Rural Health Services, Chennai. During my service I worked with utmost care and discharged my duties to the welfare of the society. In the year 2014 during August I had constipation/inadequate emptying of bowel associated with loss of weight and tiredness with abdominal pain. Later Dr.Ramani (Gastro) confirmed sigmoid growth with stricture based on CT abdomen and colonoscopy. Biopsy confirmed as Adeno carcinoma colon Grade-I.

Later I was referred to Prof.S.Subramanian, V.S.Hospitals, Egmore, Chennai for Pre-Op Chemo/RT.

After undergoing Pre-Op Chemo/RT, I was operated by Dr.Jagadeesh Chandrabose M.S. M.Ch (Onco) with patient Regn.No.11940 at VS Hospitals, Egmore, Chennai. The entire cost for the Pre-OP, Chemo, RT, Surgery,



Post-Op, Chemo, Medicine etc. till today has come down approximately to Rs.13 Lakhs. I have produced bills to that effect.

Now also I am going for treatment before VS Hospitals, Chennai and Apollo Hospitals, Madurai for post op Chemoterapy.

I am a retired person and I am covered by New Health Insurance Scheme for Pensioners including spouse/family pension announced by Government of Tamilnadu. I have not availed any benefits from the above scheme for myself or to my family members till today. As per G.O.No.462, dated 27.12.2013, I am entitled to avail Rs.2,00,000/- as I come under the scheme and also as per the above G.O.No.462, dated 27.12.2013.

Hence, I pray your goodself to release assistance for treatment undergone for Adenocarcinma Grade-I (Colon Cancer) as per G.O.No.462, dated 27.12.2013 at the earliest for me to continue my Post-Op treatment."

5.As on date, the said representation is pending. In fact, in the representation, she had prayed before the Respondent to release the assistance for treatment undergone for Adenocarcinma Grade-I (Colon Cancer) as per G.O.No.462, dated 27.12.2013 at the earliest for her to continue her Post-Op treatment.

6.Considering the fact that the Petitioner's representation, dated 31.03.2016 is pending before the Respondent and also this Court, taking note of the plight of the Petitioner and also adopting a sympathetic attitude, directs the Respondent/Director of Pension, D.M.S.Complex, Chennai, to look into the representation of the Petitioner in a fair, free, objective and dispassionate manner and to dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.With the aforesaid observations and directions, the writ petition is disposed of. No costs.

Sd/
Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To:

The Director of Pension,D.M.S.Complex,Chennai-600 006.

+1cc to Special Government Pleader in SR.No.46512

W.P.(MD) No.15502 of 2016

22.08.2016