



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2016

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THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.17171 of 2016

and

W.M.P (MD) No.12449 of 2016

B.Mahalingam

...Petitioner

vs.

1)The Director of Pension,
DMS Complex, Block-III, 2nd Floor,
259, Anna Salai,
Teynampet,
Chennai-600 006.

2)The Sub Treasury Officer,
Aranthangi,
Pudukottai District.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to sanction and disburse the two medical reimbursement claims forwarded by the 2nd respondent in letter K.Dis.No.2549/B/13 dated 03.12.2013 and letter K.Dis.No.527/B/14 dated 12.05.2014 along with 18% interest from the dates of the above proposals to the actual dates of payments within a time limit to be fixed by this Hon'ble court.

For Petitioner : Mr.B.Karunanithi

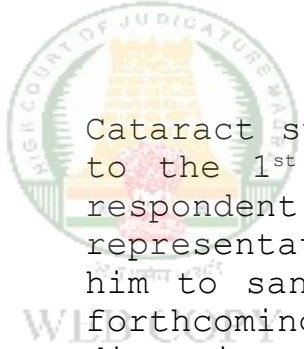
For Respondents : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

ORDER

The petitioner was employed as Tamil Pandit in Government Higher Secondary School. He retired from service on 30.04.2011. He was enrolled in Tamil Nadu Government Pensioners Health Fund Scheme 1995 under which, the Government have constituted a Health Fund to administer the scheme to reimburse the pensioners the cost of special treatment taken in the accredited Medical Institution for specialised surgeries and ophthalmic surgeries upto 75% of the actual cost or Rs.1,00,000/- whichever is less.

2.It is the case of the petitioner that he underwent Cataract surgery in one of his eyes at Aravind Eye Hospital, Madurai. He made an application on 01.12.2013 to the 2nd respondent/ Sub Treasury Officer, Aranthangi, Pudukottai District, for reimbursement of the medical expenses incurred towards the said



Cataract surgery. The 2nd respondent, in turn, forwarded the same to the 1st respondent, vide letter dated 03.12.2013. As the 1st respondent did not accord sanction, the petitioner sent a representation dated 19.07.2016 to the 1st respondent, requesting him to sanction medical reimbursement claims. As no response is forthcoming, the petitioner has filed this Writ of Mandamus, directing the 1st respondent to sanction and disburse the two medical reimbursement claims forwarded by the 2nd respondent in letter K.Dis.No.2549/B/13 dated 03.12.2013 and letter K.Dis.No.527/B/14 dated 12.05.2014 along with 18% interest from the dates of the above proposals to the actual dates of payments within a time limit to be fixed by this Court.

3.Learned Additional Government Pleader appearing for the respondents submitted that it is agreeable for the 1st respondent to pass order on the proposals forwarded by the 2nd respondent within a time frame.

4.Recording the said submission, this Writ Petition is disposed of, directing the 1st respondent to consider the proposals forwarded by the 2nd respondent in letter K.Dis.No.2549/B/13 dated 03.12.2013 and letter K.Dis.No.527/B/14 dated 12.05.2014 and to pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. The claim of interest is left open to the decision of the first respondent. No costs. Consequently, W.M.P(MD)No.12449 of 2016 is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1)The Director of Pension,
DMS Complex, Block-III, 2nd Floor,
259, Anna Salai, Teynampet,
Chennai-600 006.

2)The Sub Treasury Officer,
Aranthangi, Pudukottai District.

+1cc to the Special Government Pleader, in SR.53168
+1cc to M/s.B.Karunanithi, Advocate in SR.52928

W.P (MD) No.17171 of 2016
16.09.2016

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