

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4599 of 2017

N.Janaki

..Petitioner

Vs

The Director of the Pension,
II Block II Floor,
DMS Complex, Teynampet,
Chennai - 600 006.

..Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 10.01.2017 and order may be passed for payment of medical reimbursement amount of Rs.2,00,000/- or eligible amount.

For Petitioner : Mr.T.R.Rajagajendran
For Respondent : Ms.M.E.Raniselvam,
Additional Government Pleader.

O R D E R

By consent, the writ petition is taken up for final disposal. Ms.M.E.Raniselvam, learned Additional Government Pleader accepts notice on behalf of the respondent.

2. The petitioner was working as a Physical Education Teacher and she retired from service as a Government servant and she has been paying subscription towards the Tamil Nadu Health Fund Scheme. The petitioner was admitted on 02.09.2016 in Apollo Hospital and she was diagnosed with ''Small Bowel Obstruction S/P Laproscopic Adhesiolysis, Diabetes Mellitus, Hypertension'' and she also underwent surgery. The said Hospital has raised a bill for a sum of Rs.1,86,512.24 and the petitioner has also paid the same. The petitioner, in the form of representation dated 10.01.2017 prayed for reimbursement of the medical expenses incurred by her. Despite receipt and acknowledgment, no orders came to be passed. Hence, she came forward to file this writ petition.

3. Learned counsel for the petitioner would submit that as per the terms in G.O.Ms.458 Finance (Pension) Department dated 21.09.2007 , the petitioner availed treatment in one of the accredited hospital and as such, the petitioner is entitled to get medical reimbursement and since no orders are passed in the representation submitted by the petitioner, she is constrained to file this writ petition.

4. Heard the submission of Ms.M.E.Raniselvam, learned Additional Government Pleader appearing for the respondent.

5. This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondent to consider and dispose of the petitioner's representation dated 10.01.2017 and pass orders on merit and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar (CS-IV)

//True Copy//

Sub-Assistant Registrar

To

The Director of the Pension,
II Block II Floor,
DMS Complex, Teynampet,
Chennai - 600 006.

+1 CC to Mr. T.R. Rajagajenthiran, Advocate, sr 11819
+1 CC to The Govt. Pleader sr 12126

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