

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.08.2017

CORAM

THE HONOURABLE MR. JUSTICE. M.DHANDAPANI

W.P.No.32812 of 2004 &
M.P.No.39710 of 2004

J.Thiagarajan

.. Petitioner

Vs

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai-600 028.

2.The Deputy Inspector of Registration,
Bangaja Mills Road,
Ramanathapuram, Coimbatore-28.

3.The District Registrar,
Coimbatore Registration District,
Coimbatore.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent relating to the proceedings vide No.7992/A2/2003 dated 30.06.2003, quash the same and consequently, direct the second respondent to pay of a sum of Rs.94,686/- (Rupees Ninety Four Thousand Six Hundred and Eighty Six only) as stated in his letter dated 30.06.2003.

For Petitioner : Mr.D.Stephen for
M/s. Shalom Associates
For Respondents : Mr.A.Zakkir Hussain
Government Advocate

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent relating to the proceedings vide No.7992/A2/2003 dated 30.06.2003, quash the same and consequently, direct the second respondent to pay of a sum of Rs.94,686/- (Rupees Ninety Four Thousand Six Hundred and Eighty Six only) as stated in his letter dated 30.06.2003.

2.The case of the petitioner is that the petitioner was appointed as Office Assistant in the Registration Department on 13.07.1972 and he was promoted as Junior Assistant on 01.09.1981 and thereafter, he was promoted as Assistant and working under the third respondent herein. He further submitted that on 12.06.2003 at 12.30 p.m., he got heart-attack during working hours and he underwent medical treatment in G.Kuppuswamy Naidu Memorial Hospital, Coimbatore and in the said hospital, he was diagnosed as heart-patient and he was advised to undergo heart surgery. Accordingly, heart surgery was done on 12.06.2003 and he was discharged from the hospital on 16.06.2003. Thereafter, he joined duty with the third respondent on 12.07.2003. The petitioner in order to avail medical reimbursement under Tamil Nadu Employee's Health Fund, on 23.06.2003, has made a representation along with medical bills for the actual amount spent by him. The second respondent / the Deputy Inspector of Registration, vide his order dated 30.06.2003, requested the Joint Director of Health Services, Coimbatore, for sending proposal for his medical reimbursement as per the Government Orders and Rules. However, on perusal of the counter, it is noticed that the petitioner was issued a charge memo dated 29.12.2003, specifically charge No.3 shows that the writ petitioner without undergoing open heart surgery, he made an attempt to cheat and avail the Government Fund of Rs.94,686/- as medical reimbursement.

3.When there is a specific charge against the petitioner that without undergoing heart surgery, he made an attempt to cheat and avail the medical reimbursement, this Court cannot issue any direction to the respondents for medical reimbursement unless the alleged charges are concluded.

4.Accordingly, the writ petition is dismissed. However, it is open to the petitioner to approach the appropriate authority after conclusion of the charges. Consequently, connected miscellaneous petition is dismissed. No costs.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai-600 028.

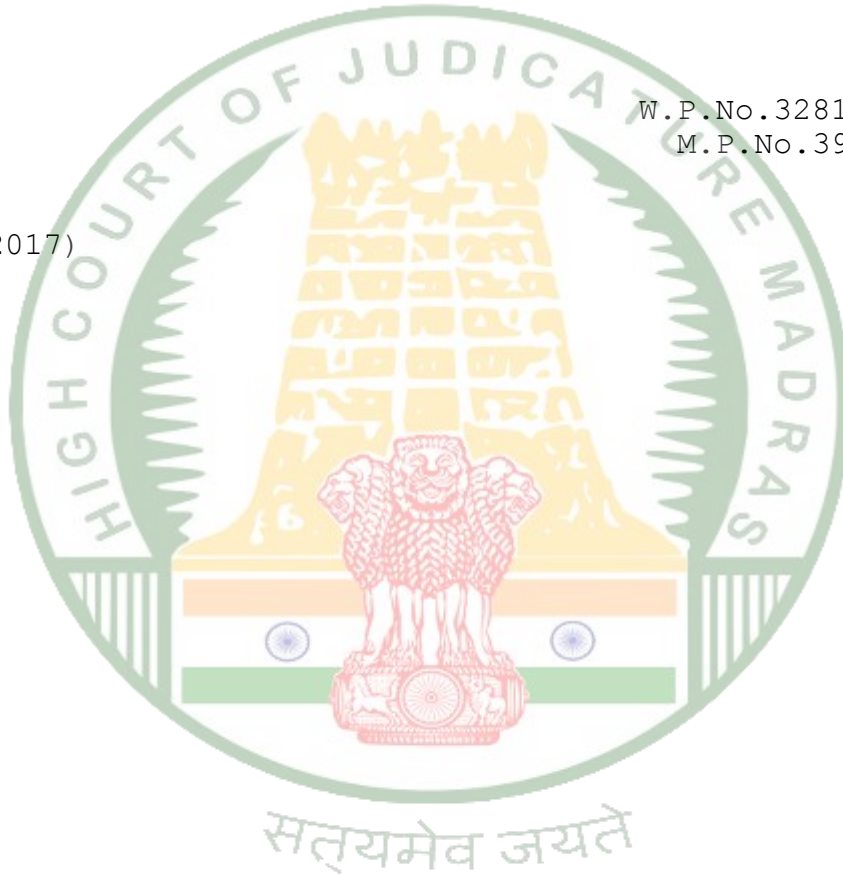
2.The Deputy Inspector of Registration,
Bangaja Mills Road,
Ramanathapuram, Coimbatore-28.

3.The District Registrar,
Coimbatore Registration District,
Coimbatore.

+1 CC to Govt. Pleader sr 62409.

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SV(CO)
sp(05/10/2017)



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