



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P (MD) No.4639 of 2018

K.P.Lawrence

... Petitioner

Vs.

1. The Secretary to Government,
Finance (Pension) Department,
Fort St.George, Chennai - 600 009.
2. The Director of Medical and
Rural Health Department,
DMS Campus, Thenampet,
Chennai - 600 006.
3. The District Collector,
Kanyakumari District,
Nagercoil.
4. The Joint Director,
Medical and Rural Health
Service Department,
Kanyakumari District, Nagercoil.
5. The Treasury Officer,
District Treasury,
Kanyakumari District, Nagercoil.
6. The Divisional Manager,
United India Insurance Company Ltd,
PLA, Rathina Towers, 5th Floor,
212, Anna Salai,
Chennai - 600 006.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to reimburse the amount of Rs.96,808/- (Rupees Ninety Six Thousand Eight Hundred and Eight Only) with interest spent by the petitioner for taken treatment in the approved hospital within a stipulated time frame.

For petitioner : Mr.N.Mohamed Asif

For respondents : Mr.M.Jeyakumar,

<https://hcservices.ecourts.gov.in/hcservices/>Addl., Govt., Pleader for R1 to R5
Mr.A.Shajahan for R6

**O R D E R**

Heard the learned counsel on either side.

2.The petitioner is a retired Government employee. On 28.05.2016, he met with an accident. He was rushed to Noorul Islam Institute of Medical Science (NIMS) & Research Foundation, Neiyattinkara, Trivandrum. He was admitted on 28.05.2016 and discharged on 02.06.2016. He incurred expenses for a sum of Rs.96,808/-. When the writ petitioner made a claim for reimbursement, it was returned for one reason or the other. Therefore, the present writ petition has been filed for directing the respondents to reimburse the said amount to the petitioner.

3.When the matter was taken up for disposal, the learned standing counsel for the sixth respondent insurance company strongly opposed that unless the break-up figures and cash receipts are made available, there would be an audit objection later.

4.This submission is reasonable. However, in this case, it is seen that what was incurred by the petitioner was only a sum of Rs.96,808/-. For this small amount, the petitioner need not to be directed to go to the hospital to obtain bills afresh. The learned counsel appearing for the petitioner submits that the petitioner had already submitted original records as well as the original cash receipts. Therefore, the sixth respondent is directed to reimburse the said amount of Rs.96,808/- to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that if the said amount is not disbursed within the above said stipulated time, it would carry interest.

5.This writ petition is allowed. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Finance (Pension) Department,
Fort St.George, Chennai - 600 009.

2. The Director of Medical and
Rural Health Department,
DMS Campus, Thenampet,
Chennai - 600 006.



3. The District Collector,
Kanyakumari District, Nagercoil.

4. The Joint Director,
Medical and Rural Health
Service Department,
Kanyakumari District, Nagercoil.

5. The Treasury Officer,
District Treasury,
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6. The Divisional Manager,
United India Insurance Company Ltd,
PLA, Rathina Towers, 5th Floor,
212, Anna Salai,
Chennai - 600 006.

+ 1 CC TO Mr.A.SHAJAHAN, ADVOCATE IN SR No. 55458
+ 1 CC TO Mr.N.MOHAMED ASIF, ADVOCATE IN SR No. 55892
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 55978

SKM

TE/SKN-RSK/SAR-1 : 28/03/2018 : 3P/10C

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