

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.02.2018****CORAM**

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**W.P. (MD) No.783 of 2018**

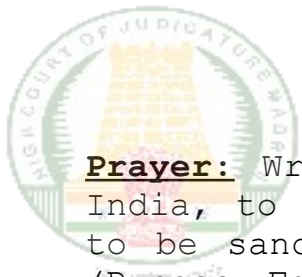
A.M.Sundaravel

... Petitioner

-Vs-

1. The Principal Secretary,
Public Works Department,
Secretariat, Government of Tamil Nadu,
Chennai - 9.
2. The Director,
Star Health and Applied Insurance Co.,
Tamil Nadu Government Servant's
Medical Insurance Project,
Old No.64 A, New No.2 A,
Ganga Nagar, Kodambakkam, Chennai - 24.
3. The Director,
Medical and Urban Health Works,
Rajivgandhi Government General
Hospital, Chennai - 6.
4. The Principal Chief Engineer,
Public Works Department,
Water Source Organisation,
Chepauk, Chennai - 5.
5. Chief Engineer,
Public Works Department,
Water Source Organisation,
Madurai Region, Madurai.
6. The Superintending Engineer,
Public Works Department,
Water Source Organisation,
Special Project Taluk, Tirunelveli - 2.
7. The Executive Engineer,
Public Works Department,
Special Project Taluk,
Ambasamudram - 627 401.

... Respondents



Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the second respondent to be sanction this petitioner's medical expenses of Rs.45,327/- (Rupees Forty Five Thousand and Three Hundred and Twenty Seven Only) with interest forthwith for his treatment from 06.05.2011 to 18.12.2012.

For Petitioner : Mr.A.M.Sundaravel
(Party - in - Person)
For Respondents : Mrs.S.Srimathy,
Spl., Govt.Pleader
for RR1, 3 to 7
Mr.S.Anwar Sameem
for Mr.T.Antony Arul Raj
for R2

O R D E R

The petitioner is a Government employee. He met with an accident. He suffered fractures. But, he took treatment in a non network hospital. In case of accident one can take treatment in any non network hospital also. But then in such cases, the second respondent cannot be made liable. Therefore, direction against the second respondent cannot be made. In this case, it is the Government that has to take a decision in the matter.

2.It is seen that the Government had written a letter dated 20.08.2014 to the fourth respondent herein asking him to resubmit the proposal with the requisite particulars and also the explanation sought for therein. It is for the petitioner herein to submit a fresh claim in terms of the said letter dated 20.08.2014 to the fourth respondent.

3.The petitioner who appears in person submitted that he would submit a fresh claim application within a period of one week from today. Thereupon, the fourth respondent is directed to forward the same to the first respondent immediately. The first respondent shall pass final orders on the claim application for medical reimbursement and also disburse the amounts which the petitioner is entitled, within a period of eight weeks thereafter.

4.With these directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/



1. The Principal Secretary to Government of Tamil Nadu,,
Public Works Department,
Secretariat,
Chennai - 9.

2. The Director,
Medical and Urban Health Works,
Rajivgandhi Government General
Hospital, Chennai - 6.

3. The Principal Chief Engineer,
Public Works Department,
Water Source Organisation,
Chepauk, Chennai - 5.

4. The Chief Engineer,
Public Works Department,
Water Source Organisation,
Madurai Region, Madurai.

5. The Superintending Engineer,
Public Works Department,
Water Source Organisation,
Special Project Taluk, Tirunelveli - 2.

7. The Executive Engineer,
Public Works Department,
Special Project Taluk,
Ambasamudram - 627 401

+1cc to Mr.T.Antony Arul Raj, Advocate Sr.No.49844
+1cc to Spl.Government Pleader Sr.No.49801

SKM

VB/RSK/SAR2/26.04.2018/3P/10C

W.P. (MD) No.783 of 2018
19.02.2018