



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2018

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR**W.P. (MD) No.7555 of 2018**

WEB COPY

S.Dhanuskodi

... Petitioner

-vs-

1. The District Collector,
Madurai District,
Madurai.
2. The District Treasury Officer,
Madurai District,
Collector Office campus,
Madurai.
3. The Director of Pension,
259 Anna Salai,
3rd Block, 2nd Floor,
DMS Campus,
Teynampet,
Chennai 600 006.
4. The Commissioner,
Treasury and Accounts Department
Saidapet,
Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 4th respondent to recommend to the 2nd respondent to sanction the Medical Welfare Fund as per the New Medical Insurance Scheme 2014 to the petitioner, based on his appeal made to the 4th respondent dated 15.02.2018.

For Petitioner : Mr.K.Kannan
For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

The prayer in the writ petition is for a writ of Mandamus to direct the 4th respondent to recommend to the 2nd respondent to sanction the Medical Welfare Fund as per the New Medical Insurance Scheme 2014 to the petitioner, based on his appeal made to the 4th respondent dated 15.02.2018.



2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. Heard Mr.K.K.Kannan, learned counsel for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader for the respondents.

4. The learned counsel for the petitioner submits that with regard to the medical reimbursement, his request was turned down by the second respondent on 07.11.2016. As against which, he filed an appeal before the 4th respondent on 15.02.2018. The said appeal is pending with the 4th respondent without taking any decision. Hence, he requests that if the said appeal pending before the 4th respondent is decided and an order to that effect is passed, the petitioner will be satisfied.

5. Heard the learned Special Government Pleader for the respondents in this regard.

6. Since the petitioner preferred appeal to the 4th respondent against the order of the 2nd respondent and the same is admittedly pending and the petitioner only seeks a direction from this Court to direct the 4th respondent to consider and pass orders on the said appeal, this writ petition is disposed of with the following direction:

That the 4th respondent is hereby directed to consider and pass orders on merits and in accordance with law on the appeal filed by the petitioner dated 15.02.2018 with regard to the medical reimbursement and an order to that effect shall be passed by the 4th respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Madurai District,
Madurai.
2. The District Treasury Officer,
Madurai District,
Collector's Office campus,
Madurai.



3. The Director of Pension,
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Chennai 600 006.

4. The Commissioner,
Treasury and Accounts Department
Saidapet,
Chennai.

+1cc to Spl.Government Pleader Sr.No.60713
+1cc to Mr.K.Kannan, Advocate Sr.No.60684

RR

VB/SKN/RSK/SAR1/23.04.2018/3P/7C

W.P. (MD) No.7555 of 2018
10.04.2018