

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.8538 OF 2015

ORDER:

1. This writ petition is filed seeking to issue writ of Mandamus declaring the action of the respondents in not reimbursing an amount of Rs.1,15,000/- which was paid to Yashoda Hospital, Malakpet by the petitioner on being referred to by APSRTC Hospital, Tarnaka, Hyderabad, as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India, and consequently, to direct the respondents to pay an amount of Rs.1,15,000/- along with 18% interest from due date.

2. Heard Sri V. Narasimha Goud, learned Counsel for the petitioner and Sri B. Mayur Reddy, learned Standing Counsel for T.S.R.T.C.

3. It has been submitted by the petitioner that he is working as Mechanic in the 2nd respondent-Corporation, and his wife was found suffering from Breast cancer in the year 2013, and the APSRTC Hospital authorities referred his wife to the Yashoda Hospital, Malakpet, Hyderabad wherein KIMO Therapy and Radio Therapy were given to his wife, and he spent Rs.1,15,000/- for treatment of his wife in Yashoda Hospital. Further, it has been submitted that the petitioner requested the respondents to reimburse the amount of Rs.1,15,000/-, which he spent for treatment of his wife as he being an employee of the 2nd respondent-Corporation, and there are special regulations known as A.P. State Road Transport Corporation Employees' (Medical Attendance) Regulations, 1963 and as per the said regulations, spouse of any employee of the respondent-Corporation is entitled for medical expenses, but the respondents have not paid the

medical expenses of his wife, and therefore, the petitioner filed this writ petition.

4. Learned Standing Counsel for the respondents submits that the petitioner has not disclosed the fact that his wife is also an employee of the State Government, and when the spouse of employee of RTC is a Government Employee, the respondent-Corporation would not pay the medical expenses of such employee and therefore, the petitioner is not entitled for reimbursement of the amount claimed.

5. Having considered the rival submissions made by the parties, without expressing any opinion on merits, this Court feels that ends of justice would be met if this writ petition is disposed of directing the petitioner to submit a representation to the respondent-Corporation.

6. Accordingly, the Writ Petition is disposed of directing the petitioner to submit a representation to the respondents concerned and upon such representation being made, the respondents concerned are directed to consider the same and pass appropriate orders, within a period of eight weeks from the date of receipt of such representation. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

26th April, 2018
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