

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.01.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAN

W.P.No.37660 of 2003

K.Srinivasan

... Petitioner

Versus

1. The Director,
National Institute of Port Management,
East Coast Road,
Uthandi, Chennai - 600 119.

2. National Institute of Port Management
Governing Body,
Rep by its Chairman,
Secretary to Government of India,
(Ports and Shipping),
Ministry of Shipping,
No.1, Sansad Marg,
Parliament Street,
New Delhi 110 001.

3. The Indian Maritime University,
Rep by its Registrar,
East Coast Road, Uthandi,
Chennai - 600 119.

... Respondents

(R3 impleaded vide order dated 20.12.2018
made in W.M.P. 38633/2018)

Prayer : Writ petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorarified
Mandamus calling for the records of the 1st respondent
pertaining to his office Memorandum in
Ref.NIPM/ADM/01/STAFF/030/2003 dated 12.12.2003, quash the same
and directing the respondents to allow the petitioner's appeal
dated 19.02.2001.

For Petitioner : Mr. B.K.Srinivasan
for Mr.K.N.Thambi

For Respondents : Mr.Anand Gopalan
for Mr.T.S.Gopalan for R1
Mr.K.R.Tamizhmani for R2
None appeared for R3

O R D E R

The order of rejection dated 12.12.2003 in respect of the claim of the writ petitioner for medical reimbursement is under challenge in the present writ petition.

2. The grievances of the writ petitioner is that, he has opted for the mediclaim policy with the respondent organization and on account of the treatment taken by his mother, he submit the medical bills to the Authorities Competent. The New India Insurance Company who was an insurer during the relevant point of time rejected the claim of the writ petitioner by invoking the exclusion clause. However, with reference to the rules of National Institute of Port Management, the case of the writ petitioner for reimbursement of mediclaim was considered in a governing body meeting and a part amount had been settled.

3. The learned counsel for the writ petitioner states that in respect of the similarly placed persons, the full medical amount had been settled and the case of the writ petitioner alone was discriminated. Under these circumstances, without going in to the merits of the matter, the writ petitioner is directed to submit a fresh representation to the 3rd respondent setting out all the facts and circumstances along with the documents within a period of 4 weeks from the date of receipt of a copy of this order. On receipt of any such representation from the writ petitioner along with the details, the 3rd respondent is directed to consider the same and pass orders on merits and in accordance with law within a period of 12 weeks thereafter.

4. With these directions, the writ petition stands disposed of. No Costs.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

Pkn
To

1. The Director,
National Institute of Port Management,
East Coast Road,
Uthandi, Chennai - 600 119.

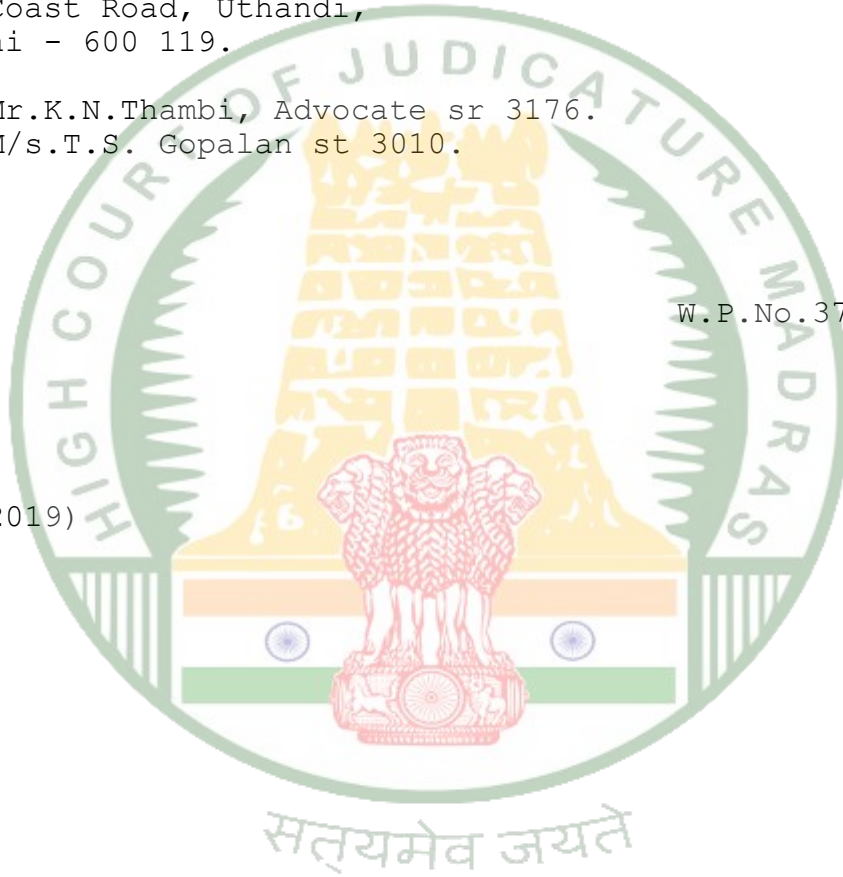
2. The Chairman,
National Institute of Port Management
Governing Body,
Secretary to Government of India,
(Ports and Shipping),
Ministry of Shipping,
No.1, Sansad Marg,
Parliament Street,
New Delhi 110 001.

3. The Registrar,
The Indian Maritime University,
East Coast Road, Uthandi,
Chennai - 600 119.

+1 CC to Mr.K.N.Thambi, Advocate sr 3176.
+1 CC to M/s.T.S. Gopalan st 3010.

W.P.No.37660 of 2003

RSV(CO)
SP(07/02/2019)



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