

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28826 of 2019
and W.M.P.No.28566 of 2019

R.Sundaram

..Petitioner

vs

The Director of Pension
No.259, Anna salai
IIIrd Block, XI floor
Chennai-600 006.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the rejection order sent by the respondent dated 19.02.2014 in K.Dis.25090/13/E9 and quash the same and thereby consequently, direct the respondents to sanction the medical reimbursement amount of Rs.2,05,852.10 along with interest within the date fixed by this Court.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mr.K.S.Suresh
Government Advocate

O R D E R

Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the rejection order sent by the respondent dated 19.02.2014 in K.Dis.25090/13/E9 and quash the same and thereby consequently, direct the respondents to sanction the medical reimbursement amount of Rs.2,05,852.10 along with interest within a date fixed by this Court.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondent. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that he voluntarily retired from service in the year 1984 as Co-operative Sub-Registrar and was drawing pension. In the year 2012, the petitioner sustained heart ailment and took treatment and Angiogram was done to him. The petitioner discharged from the hospital on 17.10.2012. Again the petitioner was admitted in Bilroth hospital on 06.11.2012 and discharged from the hospital on 10.11.2012. The petitioner has totally spent a sum of Rs.2,05,852/- towards medical expenses. The petitioner applied to the respondent Department for medical reimbursement. The respondent rejected the same on the ground that the petitioner has already reached the ceiling limit of Rs.1,00,000/-. Challenging the same, the present writ petition is filed by the petitioner.

4. Learned counsel appearing for the petitioner submitted that though the petitioner has challenged the impugned order dated 19.02.2014, due to health problem, he could not able to file the writ petition at the relevant time.

5. Learned Government Advocate appearing for the respondent submitted that impugned order was passed in the year 2014 and the petitioner has not taken any steps to either file a representation or an appeal against the impugned order till date. He further submitted that the petitioner has filed the writ petition at belated stage and the same cannot be entertained.

6. A perusal of the impugned order reveals that the petitioner has already availed the maximum ceiling limit of Rs.1,00,000/-. Further, the petitioner has not chosen to file the writ petition at the relevant time and he has not given any explanation for the delay in filing the writ petition. Therefore, this Court is not inclined to grant the relief as sought for by the petitioner. Accordingly, the writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

kj

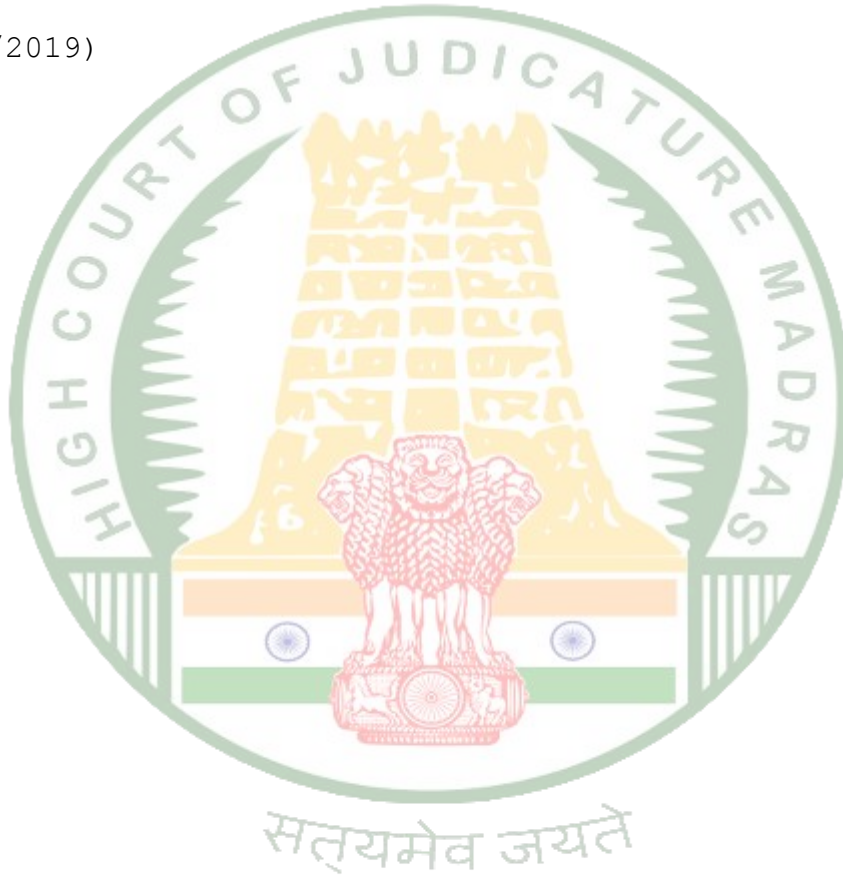
To

The Director of Pension
No.259, Anna salai
IIIrd Block, XI floor
Chennai-600 006.

+lcc to Mr.A.R.Nixon, Advocate SR.No.84377

W.P.No.28826 of 2019
and W.M.P.No.28566 of 2019

PA (CO)
GMY (27/11/2019)



WEB COPY