



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.03.2019

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP(MD)No.5700 of 2019

R.Mary Christinal

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Finance(Pension),
Fort St. George,
Chennai - 9.
 - 2.The Director of Treasuries & Accounts,
O/o the Director of Treasuries & Accounts,
Chennai.
 - 3.The Joint Director of Medical and Health Services,
Office of the Joint Director of Medical and Health Services,
District Head Quarters Hospital,
Tirunelveli - 627 811 at Tenkasi.
 - 4.The District Level Empowered Committee,
represented by its Chairperson/District Collector,
Tirunelveli District.
 - 5.The District Treasury Officer,
O/o.The District Treasury Officer,
Tirunelveli District.
 - 6.The Assistant Treasury Officer,
Sub-Treasury, Alangulam,
Tirunelveli District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to reimburse the medical expenses to the tune of Rs.1,69,937/- (One Lakh Sixty Nine Thousand Nine Hundred and Thirty Seven Rupees only) along with interest at the rate of 7.5% in the light of the Judgment of the Hon'ble Supreme Court in Shiva Kant Jha Vs Union of India reported in 2018 SCC Online SC 370/AIR 2018 SC 1975 within the stipulated period as fixed by this Court.



For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

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ORDER

This writ petition has been filed seeking a direction to the respondents to reimburse the medical expenses along with interest in the light of the Judgment of the Hon'ble Supreme Court in **Shiva Kant Jha Vs Union of India**, reported in **2018 SCC Online SC 370**.

2. According to the petitioner, he is a retired Higher Secondary School Headmaster and he is also a subscriber to the New Health Insurance Scheme, 2014. Requesting for reimbursement of Rs.1,69,937/- which he incurred towards the surgery undergone by his mother, he made a representation dated 06.10.2018, to the respondents. As his representation is kept pending without consideration, the petitioner is before this Court.

3. The learned Additional Government Pleader submitted that the claim of the petitioner would be taken into consideration on merits.

4. Under such circumstances, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 06.10.2018, on merits and in accordance with law and pass necessary orders, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar ()

To

1. The Principal Secretary,
State of Tamil Nadu,
Department of Finance(Pension),
Fort St. George, Chennai - 9.

2. The Director of Treasuries & Accounts,
O/o the Director of Treasuries & Accounts,
Chennai.



3.The Joint Director of Medical and Health Services,
Office of the Joint Director of Medical and Health Services,
District Head Quarters Hospital,
Tirunelveli - 627 811 at Tenkasi.

4.The District Level Empowered Committee,
represented by its Chairperson/District Collector,
Tirunelveli District.

5.The District Treasury Officer,
O/o.The District Trasury Officer,
Tirunelveli District.

6.The Assistant Treasury Officer,
Sub-Treasury, Alangulam,
Tirunelveli District.

+1 CC to The Special Government Pleader SR-53554
+1 CC to M/s.T.LAJAPATHI ROY, Advocate SR-53914

WP (MD) No.5700 of 2019
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SP/PK/03.04.2019 : 3P/9C