



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16877 of 2019

Kavitha

... Petitioner

-Vs-

1.The Secretary to Government,
Department of Health,
St. George Fort,
Chennai.

2.The District Collector,
Tirunelveli,
Tirunelveli District.

3.The District Collector,
Madurai,
Madurai District.

4.The Dean,
Madurai Rajaji Government Hospital,
Madurai, Madurai District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to conduct heart operation to the petitioner's son Namasiva by considering the petitioner's representation dated 24.07.2019 within a time stipulated by this Court.

For Petitioner : Mr.S.Muthumalaraja
For Respondents : Mr.M.Rajarajan, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to conduct heart operation to the petitioner's son Namasiva by considering the petitioner's



representation dated 24.07.2019 within a time stipulated by this Court.

2. Heard Mr, Muthumalaraja, learned counsel appearing for the petitioner and Mr. M. Rajarajan, learned Government Advocate appearing for the respondents.

3. With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4. The grievance of the petitioner is that, her son viz., Namasiva, has been suffering from heart disease and he has been admitted in the Government Madurai Rajaji Hospital, Madurai for treatment. The further grievance of the petitioner is that, to get free treatment for her son, she has to submit Aadhar Card, Ration Card and the Medical Insurance Card/Membership card issued under the Chief Minister Comprehensive Medical Insurance Scheme. Since, she is not having the said Membership Card and Ration Card, she has given a representation dated 24.07.2019 to the second respondent, District Collector copy marked to the other respondents with a prayer to direct the 4th respondent to give treatment to her son without insisting the Ration Card and the Membership Card issued under the Chief Minister Comprehensive Medical Insurance Scheme. For the said purpose only, the learned counsel appearing for the petitioners would submit that, the petitioner has approached this Court with the aforesaid prayer.

5. I have heard the learned Government Advocate appearing for the respondent, who would submit that, the representation of the petitioner dated 24.07.2019 would be considered by the 2nd respondent and the needful would be done to the petitioner immediately.

6. Having regard to the prayer sought for herein, in view of the medical urgency, this Court is inclined to dispose of this writ petition with the following direction:

"The 2nd respondent is hereby directed to consider the representation of the petitioner dated 24.07.2019 with regard to the free treatment for her son and issue the necessary Membership Card under the Chief Minister Comprehensive Medical Insurance Scheme to the petitioner immediately and on production of the same along with the Aadhar card by the petitioner to the 4th respondent, the 4th respondent, on accepting the same, shall proceed to give medical treatment required for her son for his heart disease. The needful as indicated above shall be completed by the 2nd respondent, within a period of 3 days from today and on receipt of such Membership Card from the petitioner, the 4th respondent shall take necessary action to treat the petitioner's son forthwith."



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7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
Department of Health,
St. George Fort,
Chennai.

2. The District Collector,
Tirunelveli,
Tirunelveli District.

3. The District Collector,
Madurai,
Madurai District.

4. The Dean,
Madurai Rajaji Government Hospital,
Madurai, Madurai District.

+1 cc Mr. S. MUTHU MALAI RAJA, Advocate, SR.No. 78482

W.P. (MD) No. 16877 of 2019
30.07.2019

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