



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.1476 of 2016

R.Sasi

... Petitioner

Vs.

1.The Medical Commissioner,
ESI Corporation, 143, Sterling Road,
Nungampakkam, Chennai-34.

2.The Regional Administrative Medical Officer,
ESI Corporation, K.K.Nagar, Madurai-20.

3.The Branch Manager,
Branch Office,ESI Corporation,
Kulithurai,Kaniyakumari District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to reimburse the medical expenses of Rs.90,863/- payable to the petitioner with eligible interest by considering his representation, dated 25.02.2014 within a time limit that may be stipulated by this Court.

For Petitioner	: Mr.G.M.Xavier
For R1 & R3	: Mr.K.C.Ramakrishnan
For R2	: Mr.S.Dhayalan, Government Advocate

ORDER

The present writ petition is filed seeking for a mandamus directing the respondent to reimburse the medical expenses of Rs.90,863/- payable to the petitioner, with eligible interest by considering his representation, dated 25.02.2014.

2. According to the petitioner, while the petitioner unloading the Cashew nuts from the lorry to the Godown, he fell down and sustained grievous injuries and his left leg was fractured. He was under treatment from 25.06.2007 to 20.07.2007 and he had spent a sum of Rs.90,863/- towards medical expenses. The petitioner sent a representation, dated 25.02.2014 to the respondents 1 and 2



explaining all the details and requesting them to reimburse his medical expenses. Though the representation was received by the first respondent on 6.3.2014, he has not taken any steps on the representation. Hence, the petitioner has filed the present writ petition.

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3. Heard the learned counsel appearing for the petitioner, the learned Standing counsel appearing for the respondents 1 and 3 and the learned Government Advocate appearing for the second respondent.

4. Since the respondents 1 and 2 have acknowledged the petitioner's representation, dated 06.03.2014, considering the facts and circumstances of the case, without going into merits of the case, the respondents 1 and 2 are directed to consider the representation of the petitioner, dated 25.02.2014, and pass orders on merits and in accordance with law, within a period of twelve (12) 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

// True Copy //

Sub Assistant Registrar

To

1. The Medical Commissioner,
ESI Corporation, 143, Sterling Road,
Nungampakkam, Chennai-34.

2. The Regional Administrative Medical Officer,
ESI Corporation, K.K. Nagar, Madurai-20.

3. The Branch Manager,
Branch Office, ESI Corporation,
Kulithurai, Kaniyakumari District.

+1 CC to M/s. K.C. RAMALINGAM, Advocate (SR-85694[F] dated 06/09/2019

+1 CC to M/s. GP (SR-85941[F] dated 09/09/2019)

+1 CC to M/s. G.M. XAVIER, Advocate (SR-86196[F] dated 10/09/2019

W.P. (MD) No. 1476 of 2016

06.09.2019

am

MS/25.09.2019/2P.7C