

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.26315 of 2013

P.Angulakshmi

..Petitioner

- Vs -

- 1.The Director of Elementary Education,
DPI Compound, College Road, Chennai -6.
- 2.The District Elementary Educational Officer,
Tiruppur.
- 3.The District Collector,
Tiruppur District,Tiruppur.
- 4.United India Insurance Company Limited,
Divisional Office 010700, First Floor, Silingi Building,
NO.134, Greams Road, Chennai 600 006.
- 5.United India Insurance Company Limited,
Tiruppur Branch, Kumaran Road,
Tiruppur & District.

..Respondents

Writ petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 3rd respondent committee to disburse the medical expenses to the tune of Rs.82,240/- to the petitioner as per G.O.Ms.No.243, Finance Department, Dated 29.06.2012 by way of dispose the petitioner's written representation dated 26.08.2013 before the 3rd respondent.

For Petitioner : Mr. C.Prakasam
For Respondents : Mr.S.Suresh Kumar ,
G.A. For RR1 to R3

ORDER

The writ petition has been filed by the petitioner to direct the 3rd respondent committee to disburse the medical expenses to the tune of Rs.82,240/- to the petitioner as per G.O.Ms.No.243, Finance Department, dated 29.06.2012 by disposing of the written representation dated 26.08.2013 submitted before the 3rd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that the petitioner is a member in the New Health Insurance Scheme, 2012 introduced by the Tamil Nadu Government vide G.O.Ms.No.243, Finance Department of the Government Employees. On 23.03.2013 the petitioner met with an accident and fell down from the motor cycle and the petitioner and her husband were rushed to a private hospital by the general public for immediate medical aid and as per doctors advice, the petitioner underwent treatment as an inpatient and the petitioner incurred medical expenses to the tune of Rs.82,000/- and thereafter, she made an application on 23.07.2013 to the 2nd respondent for reimbursement. However the said application was returned by the 2nd respondent on the ground that Erode Trust Hospital, Erode where the petitioner's husband had undergone treatment, is not in the list of approved hospitals under the government order viz., G.O.Ms.243, (Finance) dated 29.06.2012. Aggrieved by the same, the petitioner made a representation on 22.08.2013 to the 1st respondent i.e., District Level Committee for disbursement of medical expenses and thereafter, the petitioner made another representation to the first respondent. Since no order have been passed on the said representation, the present petition has been filed.

4. Though very many grounds have been raised, however, learned counsel appearing for the petitioner submits that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 26.08.2013 and pass appropriate orders.

5. The learned Special Government Advocate appearing for the respondents while conceding the claim of the petitioner, submits that this Court may direct the respondents to consider the representation of the petitioner within a time frame fixed by this Court.

6. Considering the facts and circumstances of the case and the submissions made on either side, without going into the merits of the case, the first respondent is directed to consider and dispose of the representation dated 26.08.2013 made by the petitioner in accordance with law and, within a period of three months from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of accordingly.
These shall be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jrs

To

- 1.The Director of Elementary Education,
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SR(CO)
KKV/25/09/2020

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