



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.2454 of 2020

A.Perumal

... Petitioner

/vs./

1.The Principal Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai 600 009.

2.The District Collector,
Dindigul District, Dindigul.

3.The Director of Treasuries and Accounts,
No.1, Jeenis Road,
Panagal Building, Saidapet,
Chennai 600 015.

4.The Director of Medical and Rural Health Service,
No.361, Anna Salai,
DMS Complex, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to expedite the proceedings initiated in Na.Ka.No.25727/19/F2 dated 30.09.2019 and to disburse the Medical reimbursement amount of Rs.88,390/- along with interest, within a specified time frame fixed by this Court.

For Petitioner : Mr.J.Senthilkumaraiah

For Respondents : Mr.M.Jeyakumar

Additional Government Pleader

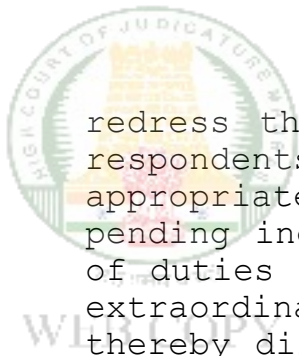
ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Though the petitioner has sought for issuance of Writ of Mandamus to the 2nd respondent to expedite the proceedings initiated in Na.Ka.No.25727/19/F2 dated 30.09.2019 and to disburse the Medical reimbursement amount of Rs.88,390/- along with interest, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3.The petitioner would submit that he has already submitted a representation on 17.05.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4.Whenever a representation is made to a statutory authority to



redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5.In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 17.05.2019, on its own merits and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the second respondent to consider it in accordance with law.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Principal Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai 600 009.
- 2.The District Collector,
Dindigul District, Dindigul.
- 3.The Director of Treasuries and Accounts,
No.1, Jeenis Road,
Panagal Building, Saidapet,
Chennai 600 015.
- 4.The Director of Medical and Rural Health Service,
No.361, Anna Salai, DMS Complex, Chennai.

+1 CC to M/s.J.SENTHIL KUMARIAH, Advocate (SR-5292[F]
+1 CC to M/s.SPL GP (SR-5388[F] dated 10/02/2020)

W.P. (MD) No.2454 of 2020
07.02.2020

SMA/26/02/2020/2P/7C

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