



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.8045 of 2020

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...Petitioner

-Vs-

1.The Secretary to Government,
(Finance and Pension Department),
Secretariat,
Fort St. George,
Chennai.

2.The Commissioner of Treasuries and Accounts,
Integrated Office Complex for Finance Dept.,
3rd Floor, Veterinary Hospital Campus,
Anna Salai,
Chennai-600 035.

3.The District Treasury Officer,
The District Treasury Office,
Nagercoil,
Kanyakumari District.

4.The Sub Treasury Officer,
Sub-Treasury Office,
Vilavancode,
Kanyakumari District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse Rs.62,010/- spent by the petitioner for the treatment underwent by him within a stipulated time fixed by this Hon'ble Court by considering the request of the petitioner, dated 26.06.2020.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Jeyakumar,

Additional Government Pleader

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to disburse Rs.62,010/- spent by the petitioner for the treatment underwent by him within a stipulated time fixed by this Court by considering the request of the petitioner, dated 26.06.2020.

2.Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner and Mr.M.Jeyakumar, learned Additional Government Pleader appearing for the respondents.



3. The petitioner is a pensioner, while so, due to sudden illness, he undergone Hernia surgery at the private hospital. Since the said surgery was undergone immediately due to medical emergency, the entire fee payable to the hospital for the said surgery has been paid from and out of the pocket of the petitioner and in this regard, the petitioner in order to get the reimbursement of the said amount paid to the hospital and other expenses towards the surgery from the medical reimbursement claim, has given a representation, dated 26.06.2020 to the respondents. Therefore, the said representation if it is considered and orders are passed thereon, on merits and in accordance with law by the respondents, the petitioner would be satisfied, the learned counsel for the petitioner contended.

4. The learned Additional Government Pleader appearing for the respondents would submit that, the said representation of the petitioner, dated 26.06.2020 would be considered by the respondents, especially, the third respondent and orders would be passed thereon, on merits and in accordance with law, within a time frame to be stipulated by this Court.

5. Considering limited scope of the prayer sought for herein, this Court is inclined to dispose of this writ petition, with the following direction:

"i) that the respondents, especially, the third and fourth respondents are hereby directed to consider the petitioner's representation, dated 26.06.2020 and pass orders there on, on merits and in accordance with law, with regard to the claim of the petitioner for reimbursement of medical expenses for the surgery undergone by him and such order shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

ii) It is made clear that since the petitioner has given a representation to the fourth respondent, along with copy of this order one more representation also shall be made to the respondents, especially, the third respondent and on receipt of the same, the needful shall be done, as indicated above, within the aforesaid time frame.

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

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary to Government,
(Finance and Pension Department),
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Chennai.
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Vilavancode,
Kanyakumari District.

Order made in
W.P. (MD) No. 8045 of 2020
27.07.2020

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KK(13.08.2020) 3P 5C