



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 11.11.2020**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

**W.P.(MD)No.15952 of 2020**

Dr.C.K.Chitra

... Petitioner

Vs.

1.State of Tamil Nadu

Rep. By its Additional Chief

Secretary to Government

Department of Finance

Fort St. George

Chennai - 9.

2.The Director of Medical Education

O/o. The Director of Medical Education

EVR High Road

Kilpauk, Chennai - 10.

3.The District Level Empowered Committee

Rep. By the District Collector

Thanjavur District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide medical reimbursement to the tune of Rs.3,63,910/- (Three Lakhs Sixty Three Thousand and Nine Hundred and Ten Rupees only) to the petitioner along with interest at the rate of 12% per annum for the delayed payment in the light of the judgment of the Hon'ble Supreme Court in Shiva Kant Jha Vs. Union of India reported in AIR 2018 SC 1975 and the judgment of the Hon'ble Madurai Bench of Madras High Court in W.P.(MD)No.13429 of 2013 dated 28.05.2019 within the time period stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.B.Bhagawathi,  
Government Advocate.

**ORDER**

The Writ Petition is filed seeking a direction to the respondents to provide medical reimbursement to the tune of Rs.3,63,910/- (Three Lakhs Sixty Three Thousand and Nine Hundred and Ten Rupees only) to the petitioner along with interest at the rate of 12% per annum for the delayed payment within the time stipulated by this Court.

2. Heard the learned Counsel appearing for the petitioner, the learned Government Advocate, who takes notice for the respondents.

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By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that she is working as Senior Resident, Department of Obstetric and Gynecology at Government Raja Mirasudhar Hospital (Thanjavur Medical College Hospital), Thanjavur and also a member of New Health Insurance Scheme. The petitioner's son, namely, R.C.Abivishnu sustained a head injury at about 10.30 p.m., on 17.05.2017. Due to the emergent situation, she admitted her son at Neuro One Hospital, Trichy and her son underwent craniotomy surgery and she has spent some amount for taking medical treatment for her son, and made representation to the respondents on 26.10.2020 seeking medical reimbursement. Since the same has not been considered so far, the petitioner is before this Court by filing this writ petition.

4. The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner would be considered within a time frame as fixed by this Court.

5. Considering the nature of prayer as sought for by the petitioner, without going into the merits of the petitioner's case, the third respondent is directed to consider the representation of the petitioner, dated 26.10.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 responsibility of the advocate/litigant concerned.*



To

1.The Additional Chief  
Secretary to Government,  
State of Tamil Nadu,  
Department of Finance,  
Fort St. George,  
Chennai - 9.

2.The Director of Medical Education,  
O/o. The Director of Medical Education,  
EVR High Road,  
Kilpauk, Chennai - 10.

3.The District Level Empowered Committee,  
Rep. By the District Collector,  
Thanjavur District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate ( SR-21956[F] dated  
11/11/2020 )

+1 CC to M/s.spl GP ( SR-22068[F] dated 18/11/2020 )

W.P. (MD) No.15952 of 2020  
11.11.2020

KG (CO)

KB (24.11.2020) 3P 6C