



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD) .No.18067 of 2020

and

W.M.P. (MD) .No.15056 of 2020

WEB COPY

P.Krishnammal

... 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 Department,
3rd Floor, Veterinary Hospital Campus,
Anna Salai,
Chennai 600 035.

3.The United India Insurance Company Limited,
represented by its Divisional Manager,
Divisional Office VI,
5th Floor, P.L.A. Rathana Towers,
No.212, Anna Salai,
Chennai -6.

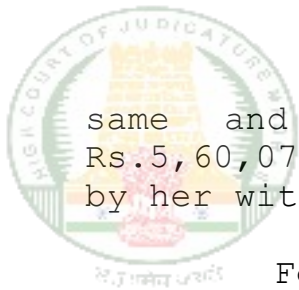
4.The District Level Committee,
represented by District Collector,
Nagercoil,
Kanyakumari District.

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

6.The Joint Director of Medical and Rural Health Services,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records on the file of the third respondent pertaining to its proceedings dated 17.03.2020 and to quash the



same and consequently direct the respondents to disburse Rs.5,60,075/- spent by the petitioner for the treatment underwent by her within a stipulated time fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For R1, R2, R4 to R6 : Mr.N.Shanmugaselvam
Additional Government Pleader

For R3 : Mr.A.Shajahan

O R D E R

This writ petition has been filed challenging the impugned order passed by the third respondent, dated 17.03.2020 and to quash the same and consequently direct the respondents to disburse Rs.5,60,075/- spent by the petitioner for the treatment underwent by her.

2. It is the contention of the petitioner that she spent a sum of Rs.5,60,075/- for medical expenses and for the purpose of reimbursement, she made an application before the fifth respondent / the District Treasury Officer, the District Treasury Office, Nagercoil, Kanyakumari District. Thereafter, the application was forwarded to the fourth respondent / District Level Empowered Committee for its decision and the fourth respondent has forwarded the same to the third respondent. Consequently, the third respondent/Insurance Company has refused to pay the said amount, as recommended by the fourth respondent / the District Level Empowered Committee, due to the failure on the part of the petitioner to furnish the documents.

3. When the matter is taken up for hearing today, Mr.N.Shanmugaselvam, learned Additional Government Pleader takes notice for the respondents 1, 2, 4 to 6 and submitted that the fourth respondent / the District Level Empowered Committee, after scrutinising the entire documents, has directed the third respondent / Insurance Company to pay a sum of Rs.5,60,075/- to the petitioner.

4. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for the respondents 1, 2, 4 to 6 and perused the materials available on record.

5. Since the petitioner herself ready to produce all the documents as stated in the impugned order, this Court is of the view that there is no need for hearing the third respondent, while passing this order, as the requirement in the present impugned order is only for the production of the documents.



6. Upon perusal of the order of District Level Empowered Committee, it is seen that after scrutinising the entire documents, the fourth respondent has passed an order directing the third respondent / Insurance Company to pay the said sum and this Court is of the view that the District Level Empowered Committee has passed an order and it is the duty of the third respondent to pay the said amount as the petitioner has submitted all the documents. Further, the one of the Members of the District Level Empowered Committee is the representative of the third respondent. Therefore, the scrutiny of the third respondent is unwanted. While making the above observations by this Court, since the petitioner herself volunteers to produce all the documents, as sought for by the third respondent, this Court directs the petitioner to produce all the documents as sought for by the third respondent vide its impugned order dated 17.03.2020, within a period of two weeks from the date of receipt of a copy of this order and the third respondent/Insurance Company is directed to settle the entire claim, as per the order of the fourth respondent / the District Level Empowered Committee within a period of eight weeks thereafter.

7. With the above directions, this Writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

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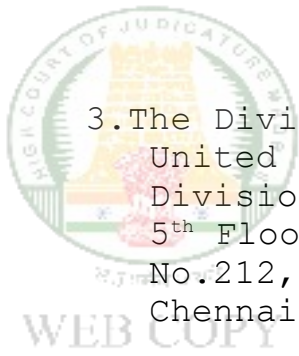
Sub Assistant Registrar(CS)

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To

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(Finance and Pension Department),
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2.The Commissioner of Treasuries and Accounts,
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4.The District Collector,
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5.The District Treasury Officer,
The District Treasury Office,
Nagercoil,
Kanyakumari District.

6.The Joint Director of Medical and Rural Health Services,
Nagercoil,
Kanyakumari District.

+1 cc to Mr.A.Shajahan , Advocate SR.No.25064

+1 cc to The Special Government Pleader Sr.No.25167

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