

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.3125 of 2021

M.G.Vijayasree

... Petitioner

Vs

- 1.The State Level Empowered Committee,
Represented by its Commissioner,
Medical and Rural Health Services,
DMS Compound, Chennai - 600 018.
- 2.The Director of Medical and Rural Health Services,
DMS Compound, Chennai - 600 018.
- 3.The District Collector,
Chennai District,
No.62, Rajaji Salai,
4th Floor, Chennai - 600 001.
- 4.The Pension Pay Officer,
Pension Pay Office,
Veterinary Hospital Campus,
571, Anna Salai,
Nandanam, Chennai - 600 035.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent through the 2nd respondent to consider the appeal dated 05.03.2020 filed by the petitioner for grant of reimbursement of Rs.1,58,117/-, being the medical expenses incurred towards the Foot Surgery of the petitioner.

For Petitioner : Mr.A.E.Ravichandran

For R1 to R3 : Mr.P.V.Selvakumar, AGP

ORDER

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

2.This writ petition has been filed for a direction to the 1st respondent through the 2nd respondent to consider the appeal

dated 05.03.2020 filed by the petitioner for grant of reimbursement of Rs.1,58,117/-, being the medical expenses incurred by her.

3. According to the petitioner, she is a retired District Adi Dravidar Welfare Officer, Chennai and a pensioner. Since she suffered from right foot major debridement, she underwent a surgery on 12.04.2019 in M/s.Hycare Hospital, MMDA, Chennai. Subsequently, she took a procedure called SSG to right lateral malleolus on 25.04.2019. Thereafter, she made a claim on 30.05.2019 for reimbursement of Rs.1,58,117/- towards medical expenses incurred by her, which was rejected on 06.02.2020 by the District Level Empowered Committee, on the ground that the treatment was taken in the non-network hospital for non-emergency condition. Challenging the said order, the petitioner preferred an appeal on 05.03.2020 before the 2nd respondent, who in turn placed the same before the 1st respondent and the said appeal is pending without any progress. Since the petitioner is in urgent need of financial assistance for post treatment, she has come up with this writ petition for the aforesaid relief.

4. Heard Mr.A.E.Ravi Chandran, learned counsel for the petitioner and Mr.P.V.Selvakumar, learned Additional Government Pleader taking notice for the respondents 1 to 3.

5. Considering the limited relief sought in this writ petition, this Court without going into the merits of the case, directs the 1st respondent to consider the petitioner's appeal dated 05.03.2020 which was forwarded by the 2nd respondent and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

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

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mtl

To

1. The Commissioner,
The State Level Empowered Committee,
Medical and Rural Health Services,
DMS Compound, Chennai - 600 018.

2.The Director of Medical and Rural Health Services,
DMS Compound, Chennai - 600 018.

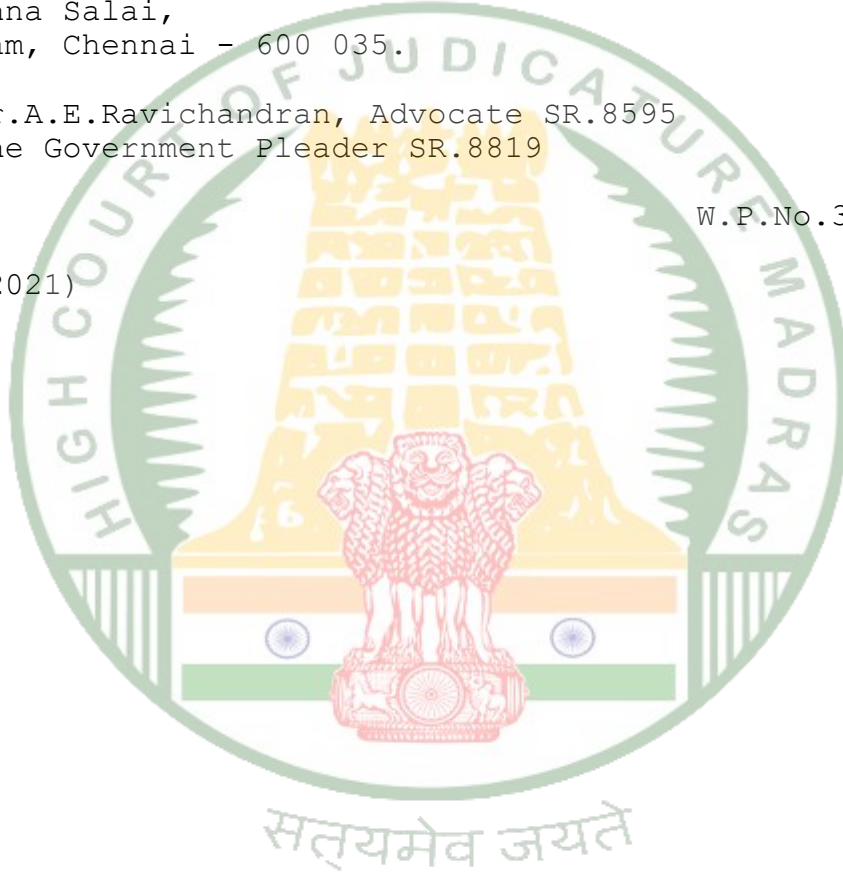
3.The District Collector,
Chennai District,
No.62, Rajaji Salai,
4th Floor, Chennai - 600 001.

4.The Pension Pay Officer,
Pension Pay Office,
Veterinary Hospital Campus,
571, Anna Salai,
Nandanam, Chennai - 600 035.

+1cc to Mr.A.E.Ravichandran, Advocate SR.8595
+1cc to the Government Pleader SR.8819

W.P.No.3125 of 2021

RGN(CO)
CB(19/03/2021)



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