

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.NO.3457 OF 2021

I.Syed Rahiman

... Petitioner

Vs.

1. The Principal Secretary/
Commissioner of Treasuries and Accounts,
Integrated Office Complex for
Finance Department,
Veterinary Hospital Campus,
Anna Salai, Nandanam,
Chennai 600 035.
2. The Director,
Commissionerate of Treasuries and Accounts,
Integrated Office Complex for
Finance Department,
Veterinary Hospital Campus,
Anna Salai, Nandanam,
Chennai 600 035.
3. The Joint Director,
Government Hospital,
(Medicine Welfare Measures),
Government Hospital Campus,
Namakkal.

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to forthwith reimburse the Medical expenses of the Petitioner as per the claim made, and as had been considered by this Court in W.P.No.611 of 2020, dated 14.02.2020 and to consequently disburse the same.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.J.Pothiraj,
Special Government Pleader

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to Respondents to forthwith reimburse his medical expenses as per the claim made, and as had been considered by this Court by an order dated 14.02.2020 made in W.P.No.611 of 2020, and to consequently disburse the same.

2. According to the Petitioner, he is a senior citizen, aged 81 years and a retired State Government pensioner. As regards reimbursement of the medical expenses incurred by him, he submitted a representation dated 07.03.2020 to the 3rd Respondent herein, pointing out that, under similar circumstances, the plight of an individual was considered by this Court in W.P.No.611 of 2020, by an order dated 14.02.2020. To the Petitioner's representation dated 07.03.2020, the 3rd Respondent, by way of his reply dated 11.12.2020, has stated that, the Petitioner's Application had been returned on 03.01.2017. Hence, having no other alternative, the Petitioner is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case and also taking note of the fact that, the Petitioner is 81 years old, this Court directs the Respondents herein to consider the case of the Petitioner as regards reimbursement of the medical expenses incurred by him in the light of the order dated 14.02.2020 passed by this Court in W.P.No.611 of 2020, in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders on the same, within a period of thirty days from the date of receipt of a copy of this order.

5. The Petitioner shall furnish his phone number, Email ID, if any, etc., along with a copy of his representation and a copy of this order to the Respondents, forthwith. Respondents are directed to communicate the decision taken on the representation, to the Petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea

that, they are not aware of the order of this Court.

With the above direction and observation, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Principal Secretary/
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3. The Joint Director,
Government Hospital,
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Government Hospital Campus,
Namakkal.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.21374
+1cc to the Government Pleader, S.R.No. 21461

W.P.No.3457 of 2021

JP-II(CO)
CS/17/05/2021