



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.20613 OF 2021

AND

W.M.P.NO.21875 OF 2021

(Through Video Conferencing)

P.Govindarajan

...Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by its Secretary
(Health and Family Welfare Department)
Fort St. George, Chennai - 9.

2.The Chairman,
TANGEDCO, Chennai.

3.The Superintendent Engineer,
Erode Electricity Distribution Circle,
TANGEDCO, Erode.

4.The Assistant Engineer,
Operation & Maintenance,
TANGEDCO, Chithode,
Erode District.

5.M/s.United India Insurance Company Limited,
Divisional Office,
5th Floor, PLA Rathna Tower,
212, Anna Salai, Chennai - 6.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records with regard to the impugned order passed by the third



respondent vide his Office Letter No.Ku.No.003511/151/Ne.Pe.IV/EniPol/Ko.Ma.Vi/2016 dated 19.03.2016 and quash the same and consequently directing the first to fourth respondents to reimburse the medical expenses of Rs.2,44,266/- incurred by the petitioner for taking medical treatment to his wife namely Sumathi at M/s.G.Kuppusamy Naidu Memorial Hospital, Coimbatore with interest at the rate of 9% from 04.01.2016 i.e., the date of payment made by the petitioner to the hospital till date of reimbursement made to the petitioner.

For Petitioner : Mr.M.Karthik

For Respondents

For R1 : Mr.L.S.M.Hasan Fizal
Government Advocate

For R2, R3 & R4 : Mr.P.Subramanian
Standing Counsel

For R5 : Mr.P.Sankaranarayanan

ORDER

The petitioner has approached this Court belatedly as against the impugned order dated 19.03.2016.

2. The learned counsel for the petitioner has referred few decisions of this Court, wherein, under similar circumstances a direction was given by this Court by allowing the petitioner therein to approach the competent authority to examine the claims under the provisions of the Tamil Nadu Medical Attendance Rules.

3. As the petitioner has an alternate remedy to redress the grievance against the order of the third respondent rejecting the claim before the competent authority, this Writ Petition is disposed by giving liberty to the petitioner to workout his remedy before the aforesaid competent authority.

4. The petitioner is therefore directed to approach the State Level Empowered Committee (SLEC) or such other competent authority and make appropriate application in terms of G.O.Ms.No.241, Finance [Salaries] Department dated 24.08.2016 within a period of thirty days from the date of receipt of a copy of this order. If the petitioner make such application,



the competent authority shall examine the same and pass appropriate orders on merits.

5. This Writ Petition stands disposed of with the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

arb

To

- 1.The Secretary,
Government of Tamil Nadu,
(Health and Family Welfare Department)
Fort St. George, Chennai - 9.
- 2.The Chairman,
TANGEDCO, Chennai.
- 3.The Superintendent Engineer,
Erode Electricity Distribution Circle,
TANGEDCO, Erode.
- 4.The Assistant Engineer,
Operation & Maintenance,
TANGEDCO, Chithode,
Erode District.
- 5.M/s.United India Insurance Company Limited,
Divisional Office,
5th Floor, PLA Rathna Tower,
212, Anna Salai, Chennai - 6.

+1cc to Mr.P.Subramanian, Advocate SR.No.50695
+1cc to the Government Pleader SR.No.50913

W.P.No.20613 of 2021
and
W.M.P.No.21875 of 2021

PA(CO)
RVM(10/11/2021)