



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.1371 of 2021

(Through Video Conference)

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... Petitioner

Vs

1. High Level Empowered Committee,
The Additional Chief Secretary to Government,
Finance Department, Fort St. George,
Secretariat, Chennai - 600 009.

2. The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Chennai - 600 006.

3. The District Treasury Officer,
Thoothukudi.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records passed by the 3rd respondent herein in Na.Ka.No.32/2018/Ra3, dated 26.10.2018, and consequential proceedings of the 2nd respondent herein passed in O.Mu No.6361/Ka Pi 1/3/2019, dated 26.08.2019, and quash the same and to direct the respondents herein to reimburse the medical expenses of Rs.3,85,763/- met by the petitioners wife with interest as fixed by this Court from the date of her application to the date of actual payment.

For Petitioner : Mrs.M.Padmavathy

For Respondents : Mr.M.Muniyasamy
Additional Government Pleader

O R D E R

Heard Mrs.M.Padmavathy, learned counsel for the petitioner and Mr.M.Muniyasamy, learned Additional Government Pleader, appearing for the respondents.

2.The petitioner herein had claim medical reimbursement for the medical expenses incurred for his wife, who was diagnosed with carcinoma Stomach (Linitis Plastica Stomach) and underwent surgery of total Gastrectomy D2 Lymph Node Disectomy and Feeding Jejunostomy done on 02.02.2018 & another related surgery on 09.02.2018.



3.The District Level Empowered Committee as well as the State Level Empowered Committee had rejected the petitioner's claim of the medical reimbursement to the tune of Rs.3,85,763/-. As against the same, the petitioner has preferred a further appeal to the High Level Empowered Committee, who is the first respondent herein on 23.09.2019.

4.The learned counsel for the petitioner would submit that the appeal before the first respondent is still pending and they will be satisfied, if the first respondent is directed to dispose of the appeal as expeditiously as possible. Taking into consideration that the petitioner's wife had underwent the surgery way back in February 2018 and that the petitioner's claim has been pending for the past three years, there shall be a direction to the first respondent herein to consider the petitioner's appeal, dated 23.09.2019 as expeditiously as possible, in any event, within a period of six weeks from the date of receipt of a copy of this order.

5.This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 the responsibility of the Advocate / litigant concerned.

To:

- 1.The Additional Chief Secretary to Government,
High Level Empowered Committee,
Finance Department, Fort St. George,
Secretariat, Chennai - 600 009.
- 2.The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Chennai - 600 006.



3.The District Treasury Officer,
Thoothukudi.

+1 CC to M/s.SPL GP (SR-7847[F] dated 01/03/2021)

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Order made in
W.P. (MD)No.1371 of 2021
26.02.2021

VB (16.03.2021) 3P 5C