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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.[MD]No.1084 of 2021

and

C.M.P.[MD]No.4799 of 2021

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Finance (Salaries) Department,
Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Thiruchirappalli District,
Thiruchirappalli.
- 3.The Joint Director of Medical and Rural Health Services,
No.4, VOC Street, Tiruchirappalli : Appellants/Respondents 1 to 3
Vs.

- 1.V.Chinnadurai : 1st Respondent/Petitioner
- 2.The Deputy Manager,
United India Insurance Company Limited,
Divisional Office,
Tiruchirappalli,
Tiruchirappalli District. : 2nd Respondent/4th Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the common order dated 28.05.2019, in W.P.[MD] No.7942 of 2017 etc., batch and allow the writ appeal.

PRAYER IN WP(MD) . 7942 of 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 2nd respondent herein in Mu.Mu.J3/23487/2016 dated 28.03.2017, Quash the Same and further Direct the 1st respondent herein to disburse forthwith a sum of Rs.1,40,000/- (Rupees One Lakh and Forty Thousand Only) to the petitioner along with appropriate interest towards the medical expenses incurred towrds Caronary Artery Bypass Graft -X2 treatment from 17/05/2016 to 25/05/2016 in SRM Institutes for Medical Science, Vadapalani.



For Appellants : Mr.R.Baskaran
Standing Counsel for Government
For Respondent No.1 : Mr.E.V.N.Siva
For Respondent No.2 : Mr.A.Shajahan

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JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

We have heard Mr.R.Baskaran, learned Standing Counsel for the Government appearing for the appellants, Mr.E.V.N.Siva, learned Counsel appearing for the first respondent and Mr.A.Shajahan, learned Counsel appearing for the second respondent.

2.This Writ Appeal filed by the Government is directed against the order, dated 28.05.2019 in W.P.[MD]No.7942 of 2017.

3.The learned counsel appearing for the first respondent/writ petitioner submitted that the Government in G.O(RT)No.256, Finance and Pension Department, dated 15.04.2021, has sanctioned a total amount of Rs.1,57,586/-, thereby satisfying the entire claim of the first respondent/writ petitioner.

4.It is pointed out by the learned Government Counsel appearing for the appellants as well as the learned Counsel appearing for the second respondent/Insurance Company that in other cases, the Government has filed Writ Appeals and the matters have been entertained and the legal issue is to be decided by the Division Bench.

5.In the instant case, we find that the Government has already paid the amount. Therefore, this Writ Appeal stands disposed of, by recording the said submission made by the learned counsel for the first respondent/writ petitioner, making it clear that the legal issue raised in this Writ Appeal is left open, so that the State as well as the Insurance Company can argue the matter in the other appeals. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



PS/MR

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.

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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Finance (Salaries) Department,
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- 2.The District Collector,
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Thiruchirappalli.
- 3.The Joint Director of Medical and Rural Health Services,
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W.A. [MD]No.1084 of 2021

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