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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.06.2021**

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.10701 of 2021

C.Balaraj ... Petitioner

Vs.

1.The Secretary to Government,
(Finance Department),
Secretariat, Fort St. George,
Chennai.

2.The Commissioner of Treasuries and Accounts,
Integrated Office Complex for Finance Dept.,
3rd Floor, Veterinary Hospital Campus,
Anna Salai, Chennai-600 035.

3.The United India Insurance Co., Ltd.,
Rep. by its Divisional Manager,
Divisional Office VI,
5th Floor, P.L.A.Rathana Towers,
No.212, Anna Salai,
Chennai-6.

4.The District Level Empowered Committee
Rep. by the District Collector,
Kanyakumari District At Nagercoil.

5.The Sub Treasury Officer,
Vilavancode, Kanyakumari District.

6.The Joint Director of Medical and Rural Health Services,
Nagercoil,
Kanyakumari District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse Rs.67,239/- spent by the petitioner for the treatment underwent by his wife P.L.Shirly within a stipulated time fixed by this Court by considering the representation of the petitioner, dated 13.05.2019.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.P.Subbaraj
Government Advocate

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ORDER

The present writ petition has been filed for a direction to the respondents to disburse Rs.67,239/- spent by the petitioner for the treatment underwent by his wife P.L.Shirly, within a stipulated time fixed by this Court by considering the representation of the petitioner, dated 13.05.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the entire materials available on record.

3. According to the petitioner, he was working as BT Assistant in Concordia High School, Kalparapottai, Kanyakumari District. He retired from service on attaining the age of superannuation on 30.04.2016. The respondents are deducting the amount from his pension every month towards Pensioners health fund scheme. His wife suffered severe stomach pain. The petitioner has admitted his wife in Sathyam Hospital, Vetturnimadam Junction, Nagercoil, Kanyakumari District. The doctors diagnose that his wife suffering from Acute Calculus Cholecystitis. As such, his wife was admitted on 03.07.2019 and surgery was conducted and discharged on 03.08.2019. The petitioner has spent a sum of Rs.67,239/- towards medical expenses. The petitioner submitted an application to the respondents to disburse the amount spent by him for his wife and the said application was forwarded to the District Level Empowered Committee for its decision. The petitioner appeared before the District Level Empowered Committee on 23.01.2020 and submitted entire documents pertaining to the treatment of his wife. Thereafter, on 13.05.2019 the petitioner has made representation to the respondents seeking disbursement of medical expenses. Since the respondents have not passed any orders on the representation, the petitioner has come out with the present writ petition.

4. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner, dated 13.05.2019 would be considered on merits within the period stipulated by this Court.

5. Considering the submission of the learned Government Advocate appearing for the respondents, without deciding the issue on merits in the writ petition, this Court directs the respondents to consider the representation of the petitioner, dated 13.05.2019 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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6.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

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Sub Assistant Registrar(CS)

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To

1.The Finance Department,
Secretariat, Fort St. George,
Chennai.

2.The Commissioner of Treasuries and Accounts,
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Kanyakumari District,
At Nagercoil.

5.The Sub Treasury Officer,
Vilavancode, Kanyakumari District.

6.The Joint Director of Medical and Rural Health Services,
Nagercoil, Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-20610[F] dated 30/06/2021)
+1 CC to M/s.SPL GP (SR-20748[F] dated 30/06/2021)

W.P.(MD)No.10701 of 2021
29.06.2021

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