



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9751 of 2021

M.Santhanamari

... Petitioner

Vs.

- 1.The Commandant,
The Tamilnadu Special Police,
Battalion-14th Platoon,
Palani, Dindigul.
- 2.The District Treasury Officer,
O/o.The District Treasury Office,
Dindigul,
Dindigul District.
- 3.The United India Insurance Company,
Divisional Office VI,
Pla Rathina Towers,
5th Floor, 212, Anna Salai,
Chennai 600 006.
- 4.Surya Medical Centre,
15A, Selvam Nagar,
MC Road, Thanjavur-7,
Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.C6/5265/554/2018 dated 09.08.2018 and quash the same and consequently, direct the 1st respondent to accept the petitioner's representation dated 03.07.2018 to sanction the Tamil Nadu Police Benefit Fund amount of Rs.24,968/- (Rupees Twenty Four Thousand and Nine Hundred and sixty Eight only) to the petitioner.

For Petitioner : Mr.Rajaram.A
For R1 and R2 : Mr.P.Thilak Kumar
Standing Counsel for Government

ORDER

Mr.P.Thilak Kumar, learned Standing Counsel, accepts notice on behalf of the respondents 1 & 2.

2. By consent, the Writ Petition itself is taken up for final disposal at the admission stage itself.



3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order passed by the first respondent in Na.Ka.No.C6/5265/554/2018 dated 09.08.2018 and consequently, direct the first respondent to accept the petitioner's representation, dated 03.07.2018 to sanction the Tamil Nadu Police Benefit Fund amount of Rs.24,968/- (Rupees Twenty Four Thousand and Nine Hundred and sixty Eight only) to the petitioner.

4.The case of the petitioner is that her husband was working as Inspector of Police in the Tamil Nadu Special Battalion and he expired on 27.01.2019. While so, the Government implements the Scheme through the United India Insurance Company Limited, Chennai and also direct the implementation of the New Health Insurance Scheme, 2014, for Pensioners(including spouse)/Family Pensioners shall be administered by the Director of Treasuries and Accounts, Chennai. According to the said Scheme, the pensioners/Family Pensioners shall uniformly subscribe a sum of Rs. 150/- per month to the New Health Insurance Scheme, 2014. The petitioner is one of the subscribers in this Scheme and also paying the subscription of Rs.150/- regularly. In such circumstances, the petitioner's husband was suffered with CHRONIC LIVER DISEASE and hence, her husband was admitted in the fourth respondent's hospital on 06.04.2018 and 10.04.2018. Thereafter, he was discharged from the fourth respondent on 10.04.2018 and received the discharge summary, reimbursement final bill, medical receipts from the above said fourth respondent. Hence, the petitioner has made a representation before the first respondent for claiming the above said medical expenses. The first respondent has returned the said representation, on 09.08.2018 stating that "The medical particulars are returned, the papers submitted are belated in nature, reason has not stated in the application. So, this file is returned, the rectification of papers may be submitted within the stipulated time." Thereafter, the petitioner has not resubmitted the medical papers to the first respondent. Hence, the petitioner has challenged the impugned order in this writ petition.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to the first respondent to dispose of the representation of the petitioner.

6.The learned standing counsel for the Government would state that pursuant to the impugned order, the petitioner has not rectified the defects and resubmit the application as directed by the first respondent and without doing the same, the petitioner has come forward with the present writ petition.

7.Considering the facts and circumstances of the case, this Court directs the petitioner to resubmit his application, as <https://hcservices.tn.gov.in/hcservices/> authorities on 09.08.2018 and on receipt of such



application, the authority shall consider the same and pass appropriate orders on merits and in accordance with law The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Commandant,
The Tamilnadu Special Police,
Battalion-14th Platoon,
Palani, Dindigul.
- 2.The District Treasury Officer,
O/o.The District Treasury Office,
Dindigul,
Dindigul District.

+1 CC to M/s.A.RAJARAM, Advocate (SR-18871[F] dated 07/06/2021)

+1 CC to M/s.SPL GP (SR-18963[F] dated 07/06/2021)

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KB(16.06.2021) 3P 5C