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WP.No.3518/2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

**WP.No.3518/2019 & WMP.No.3823/2019**

K.S.Ramanujam

... Petitioner

Vs

1.The Principal Secretary/Commissioner  
of Revenue Administration,  
Revenue and Disaster Management Department  
Ezhilagam, Chennai 600 005.

2.The Chairman  
Tamil Nadu Civil Supplies Corporation Limited  
12, Thambusamy Salai, Kilpauk  
Chennai 600 010.

... Respondents

Prayer: Writ Petition filed Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents herein to consider the petitioner's application dated 08.10.2012 pursuant to the letter of the 2<sup>nd</sup> respondent in Na.Ka.No.AE 8/84184/2012 dated 29.10.2012 and reimburse the petitioner of a sum of Rs.3,41,677- with interest at 12% per annum.

For Petitioner : Mr.D.Rajagopal



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For RR 1 & 2 : Mr.T.Sampath Kumar  
Government Advocate

**ORDER**

(1) The prayer sought for herein is as follows:-

*"Writ petition filed for issuance of a writ of mandamus directing the respondents herein to consider the petitioner's application dated 08.10.2012 pursuant to the letter of the 2<sup>nd</sup> respondent in Na.Ka.No.AE 8/84184/2012 dated 29.10.2012 and reimburse the petitioner of a sum of Rs.3,41,677- with interest at 12% per annum."*

(2) The petitioner was working as Manager [Admin-II] in the category of Deputy Collector at the 2<sup>nd</sup> respondent Corporation. During that period, the petitioner had to undergo some medical treatment and therefore, he has undertaken the medical treatment and he is a member of the medical insurance scheme being envisaged by or undertaken by the State Government. After having taken the medical treatment, the petitioner has submitted medical bills with a request to



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reimburse the medical expenses, to the 2<sup>nd</sup> respondent, i.e., the immediate employer / Tamil Nadu Civil Supplies Corporation who has forwarded with recommendation the medical bills to the 1<sup>st</sup> respondent for necessary action to reimburse the medical bills of the petitioner, by communication dated 29.10.2012.

- (3) Despite these developments, where the medical bills and the request of the petitioner having been forwarded by the 2<sup>nd</sup> respondent to the 1<sup>st</sup> respondent in the year 2012 itself, thereafter no action was taken by the 1<sup>st</sup> respondent and the medical reimbursement has not so far taken place. Hence, the petitioner had approached this Court by filing the present writ petition in the year 2019.
- (4) Today, when the case is taken up for hearing, the learned counsel for the petitioner would submit on instructions that, still the position has not changed and no medical reimbursement has been allowed by the 1<sup>st</sup> respondent as claimed by the petitioner and forwarded by the 2<sup>nd</sup> respondent till date.
- (5) Heard the learned Government Advocate appearing for the



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respondents who would submit that, if at all the medical claim for reimbursement has not been considered as forwarded by the 2<sup>nd</sup> respondent dated 29.10.2012 by the 1<sup>st</sup> respondent, that would be considered and immediate action would be taken as to the entitlement and eligibility of the petitioner for such reimbursement and accordingly, an order to that effect would be passed by the 1<sup>st</sup> respondent within a time frame shortly.

- (6) I have considered the rival submissions made on either side and also perused the materials placed.
- (7) The petitioner, being a Government servant, who was on deputation or otherwise, had been working as Manager at the 2<sup>nd</sup> respondent Corporation. During that period, he suffered some illness due to which he had to undertake some medical treatment which he had undertaken. Therefore, the medical expenses incurred by him for having such medical treatment have to be reimbursed by the Government as the petitioner is a member of the scheme also and in this regard, his claim along with the medical bills having been considered, was forwarded by the Head of the 2<sup>nd</sup> respondent



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Corporation on 29.10.2012 to the 1<sup>st</sup> respondent, who on receipt of the same, should have disposed of the said Medical Bills at the earliest. However, for these long years since the same has not been considered, it triggered the petitioner to file this writ petition before this Court and even after three years where the writ petition has been pending before this Court, no such progress has been made. according to the latest instructions received by the learned counsel for the petitioner.

- (8) Hence, this Court is inclined to dispose of this writ petition with the following order that, there shall be a direction to the 1<sup>st</sup> respondent to consider the medical claim for reimbursement of the petitioner as has been forwarded by the 2<sup>nd</sup> respondent vide his proceedings in Na.Ka.No.AE8/81484/2012 dated 29.10.2012 and decide the same by passing an order at the earliest for medical reimbursement of the petitioner as claimed by him based on the medical bills which were claimed to have been forwarded by the 2<sup>nd</sup> respondent in his proceedings and orders to that effect shall be passed within a period of six weeks from the date of receipt of a copy of this order.



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(9) With these directions, the writ petition stands **disposed of**. No costs.

Consequently, connected miscellaneous petition is closed.

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AP

Internet : Yes

To

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of Revenue Administration,  
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R.SURESH KUMAR, J.



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