



WP(MD)No.1326 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.08.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.1326 of 2022

G.Kandasamy

... Petitioner

/vs./

1.The Director of Treasury and Accounts /
Commissioner of Treasury and Accounts,
Nanthanam, Annasalai,
Chennai – 600 035.

2.The District Treasury Officer,
Madurai District,
Madurai.

3.The Divisional Manager United India
Insurance Company,
Divisional Office VI,
5th Floor, PLA Rathina Towers,
212, Annasalai,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the Respondents to disburse the medical reimbursement amount of Rs.2,38,950/- to petitioner within the time stipulated by this Court in order to meet out the medical expenses to take treatment for COVID-19 for the periods from 09.06.2020 to 18.06.2020.



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For Petitioner : Mr.V.R.Venkatesan

For Respondents : Mr.M.Siddharthan

Additional Government Pleader (for R1 & R2)

Mr.I.Robert Chandrakumar (for R3)

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein had given representations to the respondents on 21.04.2021, seeking for medical reimbursement amount for COVID-19 treatment undergone by the petitioner from 09.06.2020 to 18.06.2020. Since the said representation was not considered, the present writ petition has been filed.

3.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to



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dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4.In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 21.04.2021, on its own merits and in the light of G.O.Ms.No.165, Finance [Health Insurance] Department dated 01.06.2022 and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5.With the above direction, the Writ Petition stands disposed of. No costs.

29.08.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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TO:

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Chennai – 600 035.
- 2.The District Treasury Officer,
Madurai District,
Madurai.

Order made in
W.P.(MD)No.1326 of 2022

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