



W.P.(MD)No.3358 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2022

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No.3358 of 2022

J.Dennypaul

... Petitioner

/Vs./

- 1.The Secretary to Government,
(Finance and Pension 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 District Treasury Officer,
The District Treasury Office,
Nagercoil, Kanyakumari District.
- 6.The Sub Treasurer,
The Sub Treasury Office,
Vilvancode,
Kanyakumari District.



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7.The Joint Director of Medical and
Rural Health Services Department,
Kanyakumari District.

...Respondents

(R7 is suo-motu impleaded vide order of this Court, dated 29.08.2022.)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to disburse a sum of Rs.1,24,332/- spent by the petitioner for the treatment underwent by his mother D.Lilly within a stipulated time fixed by this Court by considering the application of the petitioner dated 27-11-2021.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.G.Suriyananth

Additional Government Pleader (for R1, R2, R4 to R7)

: Mr.I.Robert Chandra Kumar (for R3)

ORDER

The petitioner's mother, who was a Secondary Grade Teacher, claims to have suffered from chronic obstructive pulmonary disease (COPD) at Manju Hospital, Marthandam and the petitioner's claim for medical expenses has not been considered positively and hence, the present writ petition.

2.The claim for medical reimbursement by the petitioner herein is governed under the Government Order in G.O.Ms.No.202, Finance (Salaries)



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Department, dated 30.06.2016. As per the aforesaid GO, any grievance with regard to non-disbursement of the medical reimbursement shall be submitted to the Joint Director of Medical and Rural Health Services Department of the District concerned for placing the same before the District Level Empowered Committee (hereinafter referred to as “DLEC” for brevity), which is the Committee constituted by the Government headed by the District Collector, having the Joint Director of Medical and Rural Health Services Department, the District Treasury Officer and an official representative of the Insurance Company as members. Therefore, the Joint Director of Medical and Rural Health Services Department, Kanyakumari District, is suo-motu impleaded as 7th respondent.

3. In the instant case, the respondents claim that such claim was not made before the Joint Director of Medical and Rural Health Services Department of the District concerned for the purpose of placing the same before the DLEC.

4. In this background, the petitioner is granted liberty to file a claim petition, before the Joint Director of Medical and Rural Health Services Department of the District concerned, who shall place the same before the DLEC for redressal of the petitioner's grievances. The DLEC shall consider the



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claim of the petitioner atleast, within a period of four (4) weeks from the date of receipt of the claim petition. This Writ Petition stands disposed of accordingly.

There shall be no order as to costs.

29.08.2022

Index : Yes / No

Internet : Yes/ No

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To:

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M.S.RAMESH, J.

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