



WP(MD)No.18678 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.18678 of 2022

L.Ambika

... Petitioner

/vs./

1.The District Collector,
Sivagangai District.

2.The Joint Director of Health and Welfare,
Sivagangai District.

3.The Commissioner of Treasuries and Accounts,
Amma Complex, 3rd Floor,
No.571, Nandanam, Anna Salai, Chennai 600 035.

4.The Divisional Manager,
United India Insurance Company,
Divisional Office VI,
5th Floor, PLA Rathna Tower,
212, Anna Salai, 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 herein to reimburse the medical claim of Rs.3,50,880/- together with interest at the rate of 7.5 percent p.a. thereon to the petitioner covered by the medical records and medical bills within a reasonable time as may be fixed by this Court.



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For Petitioner : Mr.K.Appadurai

For Respondents : Mr.A.Sivanupandian

Additional Government Pleader (for R1 to R3)

Mr.C.Karthik (for R4)

ORDER

The present writ petition has been filed seeking for medical reimbursement of the medical expenditure incurred by the petitioner for the treatment undertaken for the infection of COVID-19 virus together with interest.

2.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 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.



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3.In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the respondents, seeking for medical reimbursement of the medical expenditure incurred by the petitioner for the treatment undertaken for the infection of COVID-19 virus and on receipt of such representation, the respondents herein shall consider the same, 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 such representation. 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.

4.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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Order made in
W.P.(MD)No.18678 of 2022

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