



WP(MD)No.20529 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20529 of 2022

G.Ravichandran

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
rep., by the Finance Secretary,
Department of Finance,
Secretariate, St.George Fort,
Chennai -09.
- 2.The Joint Director,
Medical and Family and Rural Welfare,
Government Hospital,
Usilampatti, Madurai DIstrict.
- 3.The Assistant Manager (LWD),
Madurai Region,
Tamil Nadu State Transport Corporation,
Madurai District.
- 4.The United India Insurance Company Ltd.,
rep., by the Divisional Manager,
Divisional Office-VI,
5th Floor, PLA Rathna Tower,
212, Anna Salai, Chennai 600 006.



WP(MD)No.20529 of 2022

WEB COPY

5.The Treasury Officer,
Collectorate Campus,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to disburse the remaining Medical Reimbursement claim of Rs.1,75,094/- (Rupees One Lakh Seventy Five Thousand and Ninety Four only) incurred for the treatment of open heart surgery (Coronary artery bypass graft surgery) to the petitioner under the Government of Tamil Nadu New Health Insurance Scheme-2016 based on the proceedings forwarded by the third respondent in Ref:LWD/2/11/Medical Reimbursement 2020 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.G.Suriyananth (for R1 to R3)
Additional Government Pleader
Mr.C.Karthik (for R4)

ORDER

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

2.The petitioner herein had given a representation to the respondents on 24.06.2020 seeking for medical reimbursement. Since the said representation was not considered, the present writ petition has been filed.



WP(MD)No.20529 of 2022

WEB COPY

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 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 second respondent herein to consider the petitioner's representation dated 24.06.2020, on its own merits, in the light of the communication sent by the third respondent herein, to the second respondent, dated 11.03.2021 and pass appropriate orders in accordance with law, within a period of eight (8) 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.



WP(MD)No.20529 of 2022

WEB COPY

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

01.09.2022

Index : Yes / No

Internet : Yes / No

Rmk

TO:

1. The Finance Secretary,
State of Tamil Nadu,
Department of Finance,
Secretariate, St. George Fort,
Chennai -09.
2. The Joint Director,
Medical and Family and Rural Welfare,
Government Hospital,
Usilampatti, Madurai District.
3. The Assistant Manager (LWD),
Madurai Region,
Tamil Nadu State Transport Corporation,
Madurai District.



WEB COPY



WP(MD)No.20529 of 2022

M.S.RAMESH, J.

Rmk

Order made in
W.P.(MD)No.20529 of 2022

Dated:
01.09.2022