



W.P.(MD)No.28364 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28364 of 2022

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... Petitioner

Vs.

1. The Principal Secretary to Government
Finance (Salaries) Department,
Secretariat, Chennai-9.
2. The Principal Secretary
Health and Family Welfare Department,
Secretariat, Chennai-9.
3. The Director of Treasuries and Accounts
Panagal Building, Saidapet, Chennai-15.
4. The Divisional Manager
United India Insurance Co. Ltd.,
Divisional Office, V Floor, P.L.A.Rathna Towers,
212, Anna Salai, Chennai-6.
5. The District Collector
Madurai District, Madurai.



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6. The Joint Director of Medical and
Rural Health Services
Madurai District, Madurai.

7. District Treasury Officer
Madurai District, Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to reimburse Rs.3,12,000/- (Rupees Three Lakhs Twelve Thousand Rupees) being the actual medical expenditure incurred by the petitioner for the treatment for COVID-19 based on G.O.Ms.No. 280, Finance (Salaries) Department, dated 24.06.2020.

For Petitioners : Mr. W.Pamelin

For Respondents : Mr. G.V.Vairam Santhosh,
Additional Government Pleader
for R1 to R3 & R5 to R7.
Mr. A. Sajahan
Standing Counsel for R4

ORDER

This writ petition has been filed for a direction to the 1st respondent to reimburse a sum of Rs.3,12,000/- (Rupees Three Lakhs Twelve Thousand only) being the actual medical expenditure incurred by



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the petitioner for the treatment for COVID-19 based on G.O.Ms.No. 280, Finance (Salaries) Department, dated 24.06.2020.

2. The learned counsel appearing for the petitioner would submit that the petitioner retired from service in the year 2006 and he had been contributing to the Tamil Nadu Pensioners Health Fund Scheme, 1995. While so, on 31.08.2020, he was affected with COVID virus and got admitted in the Madurai Apollo Hospital, Madurai. Thereafter, on 11.09.2020, he was discharged from the hospital. During the time of treatment, he was not paid any money from the Insurance or the corpus fund. Therefore, he applied for the Government Medical Health Benefit Fund Scheme on 22.09.2020. However, the medical amount was not disbursed to the petitioner. Hence, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the 1st respondent is directed to dispose of the representation of the petitioner, dated 08.12.2021, on merits and in



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accordance with law, based on G.O.Ms.No.280, Finance (Salaries) Department dated 24.06.2020 and the recommendation of the District Treasury Officer, Madurai, on 29.03.2022, within a specified period.

4. The learned Additional Government Pleader appearing for the respondent Nos.1 to 3 and 5 to 7 has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 08.12.2021 and pass appropriate orders, on merits and in accordance with law, based on G.O.Ms.No.280, Finance (Salaries) Department dated 24.06.2020 and the recommendation of the District Treasury Officer, Madurai, on 29.03.2022, within a period of six weeks from the date of receipt of a copy of this order.



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costs.



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6. With the above direction, this Writ Petition is disposed of. No

16.12.2022

Index : Yes / No

Speaking Order : Yes / No

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To

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Health and Family Welfare Department,
Secretariat, Chennai-9.
3. The Director of Treasuries and Accounts
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Madurai District, Madurai.
7. District Treasury Officer
Madurai District, Madurai.



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M.DHANDAPANI,J.

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