



W.P.No.5205 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.5205 of 2023

G.Sellamuthu

...Petitioner

Vs

1.The District Level Empowered Committee,
Rep. by its Chairman/District Collector,
Ariyalur District, Ariyalur.

2.The Joint Director of Health Services,
Ariyalur District,
Ariyalur Post & District.

3.The District Treasury Officer,
O/o.The District Treasury,
Ariyalur.

4.M/s.United India Insurance Co. Ltd.,
Rep. by its Divisional Manager,
5th Floor, PLA Rathna Towers,
212, Anna Salai, Chennai – 600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 11.01.2021 and to make payment of



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Rs.3,07,381/- [Rupees Three Lakhs and Seven Thousand Three Hundred Eighty One only] towards reimbursement of medical expenses with interest at the rate of 9% per annum from the date of making the claim till actual payment to be made to the petitioner within a stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Saravanakumar

For R1 to R3 : M/s.M.Jayanthy
Additional Government Pleader

ORDER

Heard Mr.M.Saravanakumar, learned counsel for the petitioner and Ms.M.Jayanthy, learned Additional Government Pleader for the respondents 1 to 3.

2. Since an order for direction to dispose of the petitioner's representation would not cause prejudice to the fourth respondent, notice to the fourth respondent is dispensed with.

3. The petitioner herein had given a representation to the respondents on 11.01.2021, seeking for a direction to disburse the



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eligible medical reimbursement amount. Since the said representation was not considered, the present writ petition has been filed.

4. 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.

5. In the light of the above observations, there shall be a direction to the second and third respondents herein to consider the petitioner's representation dated 11.01.2021 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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



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the petitioner and that it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands ordered. No costs.

23.02.2023

Index:Yes/No

Internet:Yes/No

Speaking order/Non-speaking order

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District Level Empowered Committee,
Ariyalur District, Ariyalur.
- 2.The Joint Director of Health Services,
Ariyalur District,
Ariyalur Post & District.
- 3.The District Treasury Officer,
O/o.The District Treasury,
Ariyalur.
- 4.The Divisional Manager,
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M.S.RAMESH,J.

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