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W.P.No.8227 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.8227 of 2023

G.Venkatesan

...Petitioner

-Vs-

1. The Joint Director of Medical and Rural Health Services,
No.79, Vepamara Street,
Velapadi,
Vellore – 632 001.

2. The Regional Manager,
United India Insurance Co., Ltd.,
Chennai-600 006

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 17.12.2022 made to the 1st respondent requesting to pay the remaining reimbursement amount towards medical expenses to a sum of Rs.1,85,245/- to the petitioner.

For Petitioner : Mr.A.Rajendiran

For Respondent : Mr.V.P.R.Elamparathy
AGP
For R.1
Mr.T.Shanmugam
For R.2

ORDER



W.P.No.8227 of 2023

WEB COPY

Heard Mr.A.Rajendiran, learned counsel for the petitioner and Mr.V.P.R.Elamparathy, learned Additional Government Pleader for the first respondent and Mr.T.Shanmugam, learned counsel for the second respondent.

2. The petitioner herein has given a representation on 17.12.2022 seeking for reimbursement of the balance amount of a sum of Rs.1,85,245/- towards medical expenses. Since the said representation was not considered, the present writ petition has been filed.

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 respondent 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



W.P.No.8227 of 2023

respondents to consider the representation of the petitioner dated 17.12.2022, seeking for reimbursement of the balance amount of a sum of Rs.1,85,245/- towards medical expenses on its own merits and pass appropriate orders in accordance with law, within a period of four 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 respondents to consider the same on its own merits.

5. With the above direction, the writ petition is disposed of. No costs.

14.12.2023

Index:Yes/No

Internet:Yes/No

sr

To

1. The Joint Director of Medical and Rural Health Services,
No.79, Vepamara Street,
Velapadi,
Vellore – 632 001.
2. The Regional Manager,
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Chennai-600 006



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M.S.RAMESH.J.

SR

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