



W.P.No.18331 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18331 of 2023

R.Iswarappan

...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 03.04.2023 made to 1st respondent requesting to pay the remaining reimbursement amount towards medical expenses to a sum of Rs.2,96,000/- to the petitioner.

For Petitioner : Mr.A.Rajendiran

For Respondents : Mr.S.Prabhakaran,
Government Advocate



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein had given a representation to the respondent on 03.04.2023, seeking for reimbursement of a sum of Rs.2,96,000/- towards the medical expenses. Since the same has not yet been 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 him 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 the Constitution of India and direct him to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 03.04.2023, 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 concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

22.06.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Joint Director of Medical and
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No.79, Vepamara Street,
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- 2.The Regional Manager,
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