



WEB COPY



W.P.No.26711 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26711 of 2014
and M.P.No.1 of 2014

1. The Chief Internal Audit Officer,
Board Office Audit Branch,
Tamil Nadu Electricity Board,
1st Floor, 800, Anna Salai,
Chennai-2.

2. The Chairman,
Tamil Nadu Electricity Board,
1st Floor, 800, Anna Salai,
Chennai-2.

... Petitioners

-Vs-

1. R.Sundaramoorthi,
Line Inspector (retired),
60, Shanmugaperuman Street,
Keelperumbakkam,
Villupuram.

2. The Presiding Officer,
I Additional Labour Court,
Chennai-104.

3. Mageswari

4. Shanthi



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6. Balambigai

(R3 to R6 are impleaded as per order
dated 19.07.2023 in

W.M.P.No.18661 of 2023

in W.P.No.26711 of 2014)

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, calling for the records of the second respondent regarding the order dated 04.02.2013 passed in C.P.No.109 of 2008 and quash the same as arbitrary, illegal and without jurisdiction.

For Petitioners : Mr.K.Raj Kumar

For Respondents

R1 : Died (Steps taken)

R2 : Court

R3 to R6 : No appearance

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent, thereby ordered to pay a sum of Rs.41,983.70/- with interest at the rate of 12% per annum as medical reimbursement to the pensioner.

2. Heard the learned counsel for the petitioners and perused the materials available on record.



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3. The first respondent died and his legal heirs are impleaded as respondents 3 to 6. The deceased first respondent was retired from service of the petitioners' board. He had submitted an application for reimbursement of medical expenses incurred by him in a private hospital from 19.06.2005 to 27.06.2005 for taking treatment for liver Access with Hepatitis. The petitioners have extended the medical fees to the Tamil Nadu Electricity Board pensioners/family pensioners for getting reimbursement of medical expenses on two schemes namely (i) Pensioner's Health Fund Scheme and (ii) Medical Attendance Rule for Pensioners. According to the petitioner's board, the deceased first respondent is not covered under the Pensioner's Health Fund Scheme. However, as per the board proceedings FB. No.4 (SB) dated 21.02.2004, the said ailment is also covered under the Medical Attendance Rule for Pensioners. In order to claim the said benefit under the said scheme, the pensioner should produce Emergency Certificate, Essential Certificate and counter signature of Authorized medical attendant in all cash bills. However, the deceased first respondent failed to submit the documents such as Emergency Certificate, Essential Certificate and counter signature



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of Authorized medical attendant in all cash bills. Therefore, it was rejected and the deceased first respondent had submitted his claim bills on 18.04.2006, thereby claiming Rs.41,983.70/-.

4. Admittedly, the petitioner had undergone treatment for his liver Access with Hepatitis, in Kumaran Hospital, Poonamalli High Road, Chennai and in Deepam Hospital, West Tambaram. Though the Court proceedings says the claimant should produce those documents as mentioned supra, it could be relaxed subject to the condition that the pensioner shall execute an undertaking that they should pay the entire amount with interest to the Board, if the claim is found to be fake at a later date. That apart, it is not essential to submit the Emergency Certificate, Essential Certificate to the petitioner's board for the reimbursement of medical bill as per the Board's proceedings dated 21.02.2004. Therefore, the second respondent rightly ordered for medical reimbursement to the tune of Rs.41,983.70/- with interest at the rate of 12% per annum from the date of realization.



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5. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

19.07.2023
(2/2)

Internet : Yes/No
Index : Yes/No
Speaking order/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

mn

To

The Presiding Officer,
I Additional Labour Court,
Chennai-104.

W.P.No.26711 of 2014

19.07.2023