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W.P.No.8811 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.8811 of 2022

Dr.N.Selvaraj

... Petitioner

Vs.

1.Union of India,
Rep by.,
The Chief Secretary to Government,
Chief Secretariat, Puducherry – 605 001.

2.The Secretary to Government, (Finance),
Chief Secretariat, Puducherry – 605 001.

3.The Secretary to Government (Art & Culture),
Chief Secretariat, Puducherry – 605 001.

4.The Director (Art & Culture),
Puducherry – 605 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to settle the Medical Re-imbursement bill of Rs.2,96,157/- to the petitioner in accordance with Office Memorandum No.4-18/2005-C & P (Vol.1-pt.(I)) of the Ministry of Health and Family Welfare, New Delhi dated 20.02.2009 also to pay the interest from the date of his superannuation till actual date of payment and in



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accordance with the representation filed on 23.09.2019, 27.07.2020 and lastly filed on 10.01.2022.

For Petitioner : Mr.P.Suresh

For Respondents : Mr.V.Vasanth Kumar
Additional Government Pleader
(Puducherry)

ORDER

This writ petition is filed for a direction to the respondent to consider the Medical Re-imbursement bill of Rs.2,96,157/- to the petitioner in accordance with Office Memorandum No.4-18/2005-C & P (Vol.1-pt.(I)) of the Ministry of Health and Family Welfare, New Delhi dated 20.02.2009 along with interest.

2. When the matter is taken up for hearing today, Mr.V.Vasanth Kumar, learned Additional Government Pleader (Puducherry) by producing a voucher receipt dated 20.03.2023 would submit that pending writ petition now the claim of the petitioner has been allowed to the tune of Rs.1,51,251/- and the said amount was paid to the petitioner.



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3. The learned counsel for the petitioner would submit that as against the claim of Rs.2,96,157/-, the petitioner was paid only a sum of Rs.1,51,251/-. Be that as it may, the original prayer to settle the Re-imbursement has now been complied with. The petitioner is only aggrieved by the quantum.

4. According to the learned Additional Government Pleader (Puducherry) as per eligibility, the claim of the petitioner has been settled. But, however, there are no pleadings in the present writ petition by both parties to decide the same.

5. In view thereof, since the original prayer of writ petitioner has been substantially complied with, this writ petition is disposed of with a further liberty to the petitioner to make a specific representation to the respondent as to the balance amount pointing out as to how he is entitled in respect of the same. The petitioner shall make such representation within a period of two weeks from the date of receipt of a copy of this order. If such representation is received from the petitioner, the respondent shall consider the same on



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merits and in accordance with law, with regard to sanctioning the balance amount to the petitioner. The said exercise shall be carried out within a period of eight weeks from the date of receipt of a representation from the petitioner.

6. With the above observations, this Writ Petition stands disposed of.

No costs.

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Index : Yes
Speaking Order: Yes
Neutral Citation : No
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To

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- 3.The Secretary to Government (Art & Culture),
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D.BHARATHA CHAKRAVARTHY, J.

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