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Writ Petition No.1029 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19/9/2024

C O R A M

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Writ Petition No.1029 of 2024

Vanitha

...

Petitioner

Vs

1. The Secretary Medical &
Rural Department
Fort St. George
Chennai 600 009.

2. The Director
Directorate of Medical & Rural
Welfare Services
Chennai 600 006.

3. The Medical Officer ESI Corporation
Ranipet District.

...

Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to pay ESI medical claim amount of Rs.2,65,670/- to the petitioner for the accident happened to her husband S.Raghubadhi by which the petitioner sent representation to the respondents on 13/10/2022 and on 12/7/2023 respectively.



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For petitioner ... Mr.E.Vinoth Kumar
For respondents ... Mrs.M.Sneha
Standing Counsel

ORDER

This writ petition has been filed to direct the respondents to pay ESI medical claim amount of Rs.2,65,670/- to the petitioner for the accident happened to her husband S.Raghubadhi by which the petitioner sent representation to the respondents on 13/10/2022 and 12/7/2023 respectively.

2. Mrs.M.Sneha, learned Standing Counsel takes notice for the respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that husband of the petitioner is the only bread winner of the family, who is now unable to go for any work, because of the accident occurred on 15/4/2018, as a result of which, the petitioner is permanently disabled. The main grievance of the petitioner is that Mr.Palani, who also sustained injuries on the same accident has already got his claim amount, but the same was denied to the husband of the petitioner. Even though representations were sent to the respondents on 13/10/2022 and 12/7/2023, respectively, there was no response. Hence, this present petition



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is filed.

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4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the third respondent to consider the petitioner's representations dated 13/10/2022 and 12/7/2023 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Standing Counsel appearing for the respondents has no objection for said order being passed and she fairly conceded that the petitioner's representations dated 13/10/2022 and 12/7/2023 will be considered and appropriate orders will be passed within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the third respondent to consider the petitioner's representations dated 13/10/2022 and 12/7/2023 on merits and in accordance with law and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order.

M.DHANDAPANI,J



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7. This writ petition is accordingly disposed of. No costs.

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Index: Yes/No

Neutral Citation: Yes/No

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