



W.P.(MD).No.1407 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1407 of 2024

Veerapathiran

... Petitioner

Vs

1. The Principal Secretary to Government of Tamil Nadu,
Finance Department, Secretariat,
Chennai.
2. The Director of Health Services,
Department of Health and Family Welfare,
Chennai.
3. The Director of Treasury And Accounts,
Panagal Building, 2nd Floor, Saidapet,
Chennai.
4. The District Treasury Officer,
Office of District Treasury, District Collectorate Complex,
Madurai.
5. The Divisional Manager,
United India Insurance Company Ltd.,
5th Floor, 212 Thousand Light Metro Station Near,
Anna Road, Chennai-600 006.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to reimburse the entire sum of Rs.12,82,880 (Rupees Twelve Lakhs and Eighty Two Thousand Eight Hundred and Eighty) with 12 % interest till the settlement of entire amount.

For Petitioner : Mr. P.Ganapathi Subramanian

For Respondents : Mr.S.Shaji Bino (R1-R4)
Special Government Pleader

Mr.I.Robert Chandrakumar (R5)

ORDER

The present writ petition has been filed seeking a direction to the respondents to reimburse the entire sum of Rs.12,82,880 (Rupees Twelve Lakhs and Eighty Two Thousand Eight Hundred and Eighty) with 12 % interest till the settlement of entire amount.

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

3.Heard, the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 4 and



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the learned counsel appearing for the fifth respondent. Perused the materials on record.

4.The petitioner joined as Junior Assistant on 15.09.1974 at the Office of District Treasury, Madurai and promoted to various posts and finally retired as Sub Treasury Officer at the Office of Regional Joint Director of Treasuries and Accounts, Madurai. He is a member of Health Fund Scheme and subscription amount has also been deducted from his pension regularly. The petitioner undergone Heart Surgery and taken treatment from 26.02.2022 to 12.03.2022 for a period of 14 days in the Ramachandra Medical College Hospital, Chennai and incurred medical expenses to the tune of Rs.15,51,880/-. However, on 20.11.2023 only a sum of Rs.2,69,000/- has been granted into his bank account towards the settlement of medical reimbursement under the Health Fund Scheme. The petitioner made representation to the respondents on 20.12.2023 seeking to grant the remaining amount and the same was not considered. Hence, this writ petition came to be filed.



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5. 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 respondents 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.

6. Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby directs the fourth respondent to consider the representation of the petitioner, dated 20.12.2023 and pass appropriate orders in accordance with law, within a period of four (4) weeks, from the date of receipt of a copy of this order.



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7. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

24.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Principal Secretary to Government of Tamil Nadu,
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Chennai.
2. The Director of Health Services,
Department of Health and Family Welfare,
Chennai.
3. The Director of Treasury And Accounts,
Panagal Building, 2nd Floor, Saidapet,
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4. The District Treasury Officer,
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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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24.01.2024