



W.P.(MD).No.2150 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2150 of 2024

A.S.Natarajan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary (Finance Department),
Fort St.George,
Chennai-600 009.

2.The Authorized Officer,
The United Indian Insurance Co. Ltd.,
Divisional Office VI,
5th Floor, P.L.A.Rathna Towers,
No.212, Annasalai,
Chennai-600 006.

3.The State Level Empowered Committee,
Represented by its Commissioner,
Medical and Rural Health Service,
DMS Compound, Chennai-600 006.

4.The Treasury Officer,
District Treasury Office,
Collectorate Complex,
Madurai-625 020.

... 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 medical claim of the petitioner a sum of Rs.75,859/- by considering the representation of the petitioner, dated 30.09.2023.

For Petitioner : Mr.M.Gnana Guru Nathan

For R1, R3 & R4 : Mr.S.Shaji Bino
Special Government Pleader

For R2 : Mr.A.Shajakhan
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to reimburse the medical claim of the petitioner a sum of Rs.75,859/- by considering the representation of the petitioner, dated 30.09.2023.

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

3. The petitioner is 81 years old and he was a former employee of the Rural Development Department and a pensioner as on today. He is a subscriber



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of the New Health Insurance Scheme of the Government for the pensioners. He was admitted in Meenakshi Mission Hospital, Madurai for chest pain on 12.11.2021 and was diagnosed with Acute Exacerbation of Copd Systemic Hypertension Tupe-2 Diabetes Mellitus (Newly Detected). For which, a surgery was done and was discharged on 16.11.2021 incurring a medical expenditure of Rs.75,859/-. He had already paid the entire amount at the time of discharge to the hospital from his own money on 16.11.2021. Thereafter, he made a representation on 30.09.2023 to the 1 to 3 respondents for medical reimbursement and the same was not considered. Hence, this writ petition came to be filed.

4. 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 respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.



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5. Without going into the merits of the case, this Court hereby directs the respondents to consider the representation of the petitioner, dated 30.09.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. No costs.

02.02.2024

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

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To

- 1.The Secretary (Finance Department),
The Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.
- 2.The Authorized Officer,
The United Indian Insurance Co. Ltd.,
Divisional Office VI,
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L.VICTORIA GOWRI, J.

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