



W.P.(MD).No.4802 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.03.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.4802 of 2024**

A.Gandeepan

... Petitioner

Vs

1. The District Collector,  
Thoothukudi District,  
Thoothukudi.
2. The District Treasury Officer,  
District Treasury Office,  
Thoothukudi,  
Thoothukudi District.
3. The Sub Treasury Officer,  
Sub Treasury Office, Vilathikulam,  
Thoothukudi District.
4. The Divisional Manager,  
United India Insurance Company,  
Divisional Office, 5<sup>th</sup> Floor, PLA Ratna Tower,  
212, Anna Salai, Chennai.

... Respondents

**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



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give medical reimbursement to the petitioner incurred by his medical treatment based on his representation, dated 22.01.2024.

For Petitioner : Mr. T.Cibichakraborty

For Respondents : Mr.C.Baskaran (R1-R3)  
Government Advocate

Mr.I.Sudhakaran (R4)  
Standing Counsel

### **ORDER**

The present writ petition has been filed seeking a direction to the directing the respondents to give medical reimbursement to the petitioner, which was incurred by him based on his representation, dated 22.01.2024.

2.By consent of both parties, considering the limited relief sought for by the petitioner, 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 Government Advocate appearing for the respondents 1-3 and the learned Standing Counsel appearing for the fourth respondent. Perused the materials on record.



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4.The petitioner retired from service as Personal Assistant to Superintendent of Police, Virudhunagar District, on attaining the age of superannuation on 30.09.2010. He has duly subscribed under the Medical Insurance Scheme for pensioners. While so, he had incurred certain medical condition in his leg and took treatment at Apollo Hospital, Madurai, for which, he was admitted as inpatient on 09.07.2022. He underwent surgery and was discharged from Hospital on 27.07.2022, for which, he incurred medical expenditure of Rs.5,50,000/-. For seeking reimbursement, the petitioner sent representation to the respondents on 02.11.2022 with all relevant medical documents. The same was forwarded by the third respondent to the fourth respondent. Despite the petitioner having already submitted all the original medical records, the fourth respondent again asked the petitioner to produce all the original documents pertaining to his treatment. In this regard, the petitioner lastly made a representation on 09.12.2023 and the same was not considered. Hence, this writ petition came to be filed.

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



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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 the respondents 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 direct the fourth respondent to consider the representation of the petitioner, dated 09.12.2023 and pass appropriate order in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

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

There shall be no order as to costs.

**01.03.2024**

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



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**L.VICTORIA GOWRI, J.**

PNM

**ORDER IN**  
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