



W.P.(MD).No.4690 of 2024

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

**DATED : 29.02.2024**

**CORAM**

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

**W.P.(MD).No.4690 of 2024**

R.Kanagaraj

... Petitioner

Vs

1. The District Level Empowered Committee,  
Rep. by the District Collector,  
Dindigul District,  
Dindigul.
2. The Joint Director of Medical and Rural Health,  
Dindigul District, Dindigul.
3. The Treasury Officer,  
District Treasury Office, Dindigul.
4. M/s. United India Insurance Company Limited,  
Rep. by the Divisional Manager,  
Division Office VI, PLA Rathna Towers,  
V Floor, No. 212, Annasalai,  
Chennai – 600 006.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to grant medical reimbursement towards the claim made by the petitioner by deducting the



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earlier amount reimbursed by the 4<sup>th</sup> respondent based on the representation of the petitioner, dated 31.01.2024 within a time frame as stipulated by this Court.

For Petitioner : Mr. S.Sarvagan Prabhu

For Respondents : Mr.R.Ragavendran (R1-R3)  
Government Advocate

Mr.I.Sudhakaran (R4)

### **ORDER**

The present writ petition has been filed seeking a direction to grant medical reimbursement towards the claim made by the petitioner by deducting the earlier amount reimbursed by the 4<sup>th</sup> respondent based on the representation of the petitioner, dated 31.01.2024 within a time frame as stipulated by this Court.

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



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

4.The petitioner is a retired Government servant, who has enrolled in Tamil Nadu Government New Health Insurance Scheme for pensioners. His wife was admitted at Sri Sathya Subha Hospital, Dindigul and undergone surgery on 12.10.2022, for which, she was hospitalised from 11.10.2022 to 17.10.2022 and incurred total medical expenditure of Rs.2,11,795/-. He sent a representation, dated 31.01.2024 to the respondents seeking reimbursement of medical expenses incurred by him. However, 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 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



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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 respondents to consider the representation of the petitioner, dated 31.01.2024 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.

**29.02.2024**

NCC : Yes / No

Index : Yes / No

Internet : Yes

**PNM**

To

1. The District Collector,  
District Level Empowered Committee,  
Dindigul District, Dindigul.
2. The Joint Director of Medical and Rural Health,  
Dindigul District, Dindigul.
3. The Treasury Officer,  
District Treasury Office, Dindigul.



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**L.VICTORIA GOWRI, J.**

PNM

**ORDER IN**  
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