



W.P.(MD).No.7483 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7483 of 2024

R.Pitchai

...Petitioner

Vs.

The Commissioner,
Treasury and Accounts Department,
Integrated Office Building,
Amma Campus, Nandhanam,
Chennai-600 035.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to reimburse the balance amount of Rs.1,05,000/- (Rupees One Lakh and Five Thousand only) to the petitioner, which was spent by him for his Covid-19 treatment, within the time frame fixed by this Court.

For Petitioner : Mr.RV.Rajkumar

For Respondent : Mr.R.Ragavendran,
Government Advocate



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ORDER

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

2. The present writ petition has been filed seeking direction to the respondents to reimburse the balance amount of Rs.1,05,000/- (Rupees One Lakh and Five Thousand only) to the petitioner, which was spent by him for his Covid-19 treatment.

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner joined duty as Junior Assistant on 01.09.1980 in the Animal Husbandry Department. After being promoted to various posts, in the year 2005, he was promoted as Superintendent. After rendering 30 years of service, on attaining the age of superannuation, he retired from service on 30.06.2010. He has been receiving pension from the District Treasury through State Bank of India, C.T.Complex Branch, Madurai. On 19.04.2021, the petitioner fell ill and his health condition had become worse. As a result of



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which, he was admitted in Ahana Hospital, Madurai for Covid-19 treatment. For which, he spent an amount of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) in the hospital and nearly Rs.50,000/- (Rupees Fifty Thousand only) spent during the period of quarantine. He has enrolled himself in the Medical Insurance Scheme of the Government. Hence, he sent a representation dated 20.06.2021 along with all the necessary documents to the respondent requesting him to reimburse the amount spent in the hospital. However, the same came to be rejected by the respondent through his proceedings dated 11.10.2021. Hence, the petitioner further made a detailed representations on 25.10.2022, 11.05.2023 and lastly on 12.10.2023. Since the same was not considered by the respondent, the present writ petition came to be filed.

4. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

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 respondent to consider the same on its own merits and pass appropriate orders in one way or



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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.

6. Without going into the merits of this case, this Court hereby direct the respondent to consider the case of the petitioner 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.

7. Accordingly, this Writ Petition stands disposed of. No costs.

26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml
To
The Commissioner,
Treasury and Accounts Department,
Integrated Office Building,
Amma Campus, Nandhanam,
Chennai-600 035.



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L.VICTORIA GOWRI, J.

Sml

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