



W.P.(MD)No.13481 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.13481 of 2024 &
W.M.P.(MD)No.11897 of 2024

V.Johnson

... Petitioner

vs.

1.The Commissioner of Treasuries and Accounts,
Chennai.

2.The Joint Director of Medical and
Rural Health Services,
Water Tank Road,
Nagercoil, Kanyakumari District.

3.The Senior Divisional Manager,
United India Insurance Co. Ltd.,
Divisional Office - VI,
No.212, Annasalai,
Chennai - 6.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 16.04.2024 passed by the third respondent, quash the same and direct the first respondent to pay the balance medical reimbursement amount of Rs.5,12,224/- within the time stipulated by this Court.



W.P.(MD)No.13481 of 2024

For Petitioner : Mr.H.Velavadhas

For Respondents : Mr.M.Ramesh,
Government Advocate for R1 and R2

Mr.I.Robert Chandra Kumar for R3

ORDER

Heard Mr.H.Velavadhas, learned counsel appearing for the petitioner, Mr.M.Ramesh, learned Government Advocate appearing for the respondents 1 and 2 and Mr.I.Robert Chandra Kumar, learned counsel appearing for the third respondent.

2. The petitioner has filed this petition seeking to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 16.04.2024 passed by the third respondent, quash the same and direct the first respondent to pay the balance medical reimbursement amount of Rs.5,12,224/- within the time stipulated by this Court.

3. The petitioner who is working as a Deputy Block Development Officer (General), Rajakkamangalam, Panjayat Union, Kanyakumari District has filed this writ petition seeking reimbursement



W.P.(MD)No.13481 of 2024

WEB COPY

of Rs.5,12,224/- toward the medical expenses incurred by him for the treatment of Metastatic Right Renal Carcinoma (Cancer) undergone by him.

4. In pursuant to the directions given in an earlier writ petition in W.P.(MD)No.17269 of 2023 filed by the very same petitioner, a sum of Rs.9,61,950/- has been reimbursed to the petitioner.

5. Mr.H.Velavadhas, learned counsel for the petitioner submitted that recommendation has already been made by the District Level Empowering Committee for disbursal of medical reimbursement claim.

6. However, on perusal of the communication dated 27.06.2022, it is seen that, it is only a letter forwarded by the second respondent to the third respondent. If the petitioner is aggrieved due to the non-disbursal of the balance medical reimbursement claim, he ought to have filed an appeal before the District Level Empowering Committee and claim the



W.P.(MD)No.13481 of 2024

WEB COPY

balance amount of medical expenses which is yet to be reimbursed to him.

7. In view of the above observations, the writ petition is **disposed of** and the petitioner is at liberty to file an appeal before the District Level Empowering Committee within a period of two weeks from the date of receipt of a copy of this order and on such appeal being filed, the District Level Empowering Committee shall consider the same on merits and pass orders in accordance with law within a period of three weeks thereon. No costs. Consequently, connected Miscellaneous Petition is closed.

25.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

mbi



W.P.(MD)No.13481 of 2024

To
WEB COPY

- 1.The Commissioner of Treasuries and Accounts,
Chennai.
- 2.The Joint Director of Medical and
Rural Health Services,
Water Tank Road,
Nagercoil, Kanyakumari District.
- 3.The District Level Empowering Committee /
District Collector,
Kanyakumari District.



WEB COPY



W.P.(MD)No.13481 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.13481 of 2024

25.06.2024