



W.P.(MD)No.13874 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.13874 of 2023

Y.Velu

... Petitioner

vs.

1.The Joint Director,
O/o.District Joint Director Welfare Office,
Tenkasi,

2.The Pension Pay and Account Officer,
Treasury Office,
Tenkasi.

3.United India Insurance Company Limited,
Section IV Office, 5th floor,
PLA Rathna Towers,
No.212, Anna Salai,
Chennai – 06.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reimburse the petitioner's Insurance claim based on the claim application dated 22.12.2022 and subsequently forwarded Na.Ka.No.111/2023/D2 dated 03.02.2023 by the 2nd respondent within stipulated time.



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For Petitioner : Mr.P.Murugesan
For R1 & R2 : Mr.J.Ashok
Additional Government Pleader
For R3 : Mr.C.Karthik

ORDER

The petitioner herein, who had retired as Sub Inspector of Police, S.B.C.I.D. on 31.08.2008, had given an application dated 22.12.2022 to the first respondent seeking medical reimbursement for the treatment taken by him for Urinary Tract Infection, cellulitis of left toe and plastic surgery performed on him. The first respondent, in turn, had forwarded the application to the second respondent, who in turn had forwarded the same to the third respondent vide proceedings in Na.Ka.No.111/2023/D2 dated 03.02.2023. Since his application is yet to be considered, the present writ petition has been filed.

2. It is needless to point out that whenever an application of this nature is made to a Statutory Authority, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such,



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non-consideration of the application by the Statutory Authority would amount to dereliction of duty. The failure on the part of the Authority had prompted the petitioner to file this petition seeking relief through issuance of writ of mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the application of the petitioner within a specified time frame.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's application dated 22.12.2022 on their own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on their own merits.



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4. With the above direction, the Writ Petition stands **disposed**

of. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

1.The Joint Director,
O/o.District Joint Director Welfare Office,
Tenkasi,

2.The Pension Pay and Account Officer,
Treasury Office,
Tenkasi.



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R.N.MANJULA, J.

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