



WP(MD) No.16362 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.16362 of 2023

P.Saraswathi

.. Petitioner

Vs.

1. The District Treasury Officer,
Office of the District Treasury,
Dindigul-624 002.

2. The Divisional Officer,
United India Insurance Company,
5th Floor, PLA Tower,
No.212, Annasalai,
Chennai 6.

...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 disburse the medical reimbursement of the



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petitioner's husband based on the petitioner's representation dated 05.04.2023 within the stipulated time.

For Petitioner : Mr.K.Mohan Gandhi

For Respondents : Mr.J.Ashok
Additional Government Pleader
for R1

: Mr.A.Shajahan for R2

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the respondents to disburse the medical reimbursement of the petitioner's husband based on the petitioner's representation dated 05.04.2023 within the stipulated time.

2. Heard Mr.K.Mohan Gandhi, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader appearing for the 1st respondent and Mr.A.Shajahan, learned counsel appearing for the 2nd respondent.



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3. The petitioner herein had given several representations to the respondents on various dates seeking for medical reimbursement under New Health Insurance Scheme. Since the said representations were not considered by the respondents so far, the present writ petition has been filed.

4. 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. The failure on the part of the authority had prompted the petitioner to file this petition for 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



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required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 06.03.2023 on its 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 its own merits.

6. With the above direction, the Writ Petition stands **disposed of**. No costs.

05.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJL



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To

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R.N.MANJULA, J.

PJL

Order made in
W.P.(MD)No.16362 of 2023

Dated:
05.06.2024