



W.P.(MD)No.17642 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.17642 of 2024

T.Subramanian

... Petitioner

Vs.

1.The Chief Engineer,
Highways Department,
Construction and Maintenance,
Guindy, Chennai.

2.The District Level Committee,
Rep.by the District Collector,
Ramanathapuram,
Ramanathapuram District.

3.The Regional Manager,
United India Insurance Company Ltd.,
Regional Office,
Rathina Gopuram 5th Floor,
212, Anna Salai,
Chennai-600 008.

4.The Joint Director of Health Service,
O/o.The Joint Director of Health Service,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to disburse the amount of Rs.65,176/- (after deduction of Rs.15,000/-) as approved by the fourth respondent vide his proceedings in Na.Ka.No.6/07/Pa.2/2021 dated



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03.02.2022 along with interest thereof within the period that may be stipulated by this Court.

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For Petitioner : Mr.R.Geethanjali
M/s.Ajmal Associates
For R1, R2 & R4 : Mr.N.Ramesh Arumugam
Government Advocate
For R3 : Mr.Shajahan
Standing Counsel

ORDER

Heard Mr.R.Geethanjali, learned counsel appearing for the petitioner, Mr.N.Ramesh Arumugam, learned Government Advocate for the respondents 1, 2 and 4 and Mr.Shajahan, learned Standing Counsel appearing for the third respondent.

2.The petitioner is the subscriber under the United India Insurance Company/ third respondent herein. The petitioner's wife had undergone surgery and the petitioner has spent a sum of Rs.95,176.45/-. Since the subscription is being deducted for the insurance, the petitioner made an application for reimbursement of the said amount. However, the third respondent had sanctioned only Rs.15,000/-. Therefore, the petitioner made an application before the Committee. The Committee after considering the application, had approved the claim of the petitioner to the tune of Rs.80,176/- and the same has also been forwarded to the third respondent. Further, the petitioner has made a



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representation along with all necessary documents to the third respondent. Since the same was not considered so far, the petitioner has filed this writ petition.

3.The learned counsel for the petitioner submitted that though the claim of the petitioner had been approved by the fourth respondent Committee, the third respondent did not honour the said approval by disbursing the approved amount.

4.The learned Standing counsel for the third respondent submitted that the petitioner is entitled only to a sum of Rs.15,000/-. Hence, the said amount has been disbursed to the petitioner.

5.Though different interpretations have been made by the learned Standing counsel for the third respondent for the word 'approved' by the Committee stating that the approval does not mean the entire amount claimed by the petitioner, the third respondent, who also represents the Committee, had simply signed the proposal for approval of the claim without stating anything with regard to the limitation of claim. Further, the third respondent has not passed any order as to how the petitioner is entitled to only Rs.15,000/- and as to why the rest of the amount could not be paid to the petitioner.



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6.If the third respondent is really aggrieved by the approval of the Committee for the entire claim made by the petitioner, he ought to have challenged the approval granted to the petitioner or atleast raised objections at the time, when the Committee convened a meeting for deciding the claim of the petitioner. Even otherwise, he could have assigned reasons for non grant of entire claim made by the petitioner in the application submitted by the petitioner itself. Without even resisting the claim of the petitioner in any way, it is not fair on the part of the third respondent to withhold any amount approved by the Committee.

7.For the reasons stated above, this writ petition is allowed. The third respondent is directed to release the entire amount approved by the Committee on the claim made by the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

30.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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R.N.MANJULA, J.

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