



W.P.(MD).No.18599 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.18599 of 2024

S.Kavitha

...Petitioner

Vs

1.The Commissioner of Treasuries and Accounts,
Amm Complex, 3rd Floor,
No.571, Annasalai, Nandhanam,
Chennai.

2.The District Treasury Officer,
Treasury Office,
Theni.

3.The Divisional Manager,
United India Insurance Company Limited,
Divisional Office VI,
5th Floor, PLA Rathna Tower,
212, Anna Salai,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the third respondent to act upon the proceedings of the first respondent in Rc.No. 6053/NHIS-1/2021 dated 22.06.2021 and thereby direct the third respondent to pay the medical reimbursement amount by considering the



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petitioner's representation dated 27.04.2023 and pass appropriate orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Jerin Mathew

For R-1 and R-2 : Mr.J.Ashok
Additional Government Pleader

For R-3 : Mr.I.Suthakaran

ORDER

Heard Mr.M.Jerin Mathew, learned counsel for the petitioner, Mr.Mr.J.Ashok, learned Additional Government Pleader for the respondents 1 and 2 and Mr.I.Suthakaran, learned counsel for the 3rd respondent.

2. The petitioner herein had given a representation to the respondents on 27.04.2023 seeking to grant medical reimbursement for the treatment of Covid-19, undergone by her, for the period from 14.09.2020 to 19.09.2020. Since the said representation was not considered, the present writ petition has been filed.



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

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 27.04.2023 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 expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the third respondent to consider the same on its own merits.



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WEB COPY 5. With the above direction, the Writ Petition stands **disposed of**.

No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Commissioner of Treasuries and Accounts,
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R.N.MANJULA, J.

Nsr

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