



WP(MD) No.20431 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.20431 of 2023

S.Karuppasamy

... Petitioner

Vs.

1.The Directorate of Medicine and Rural Health Development,
Chennai- 600 006.

2.The Zonal Manager,
United India Insurance Company Limited,
PLA Rathna Tower 5th Floor,
Annasalai, Chennai- 600 006.

3.The Assistant Treasury Officer,
O/o. Assistant Treasury Officer,
Srivilliputhur.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the



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2nd and 3rd respondents to consider the petitioner's representation dated 01.02.2023 and provide the medical reimbursement of Rs. 69,000/- and Rs.1,54,746/- respectively as per the Medical bills within the time frame fixed by this Court.

For Petitioner : Mr.K.Muthumalai

For Respondents : Mr.J.Ashok
Additional Government Pleader
for R1 & R3

: Mr.C.Karthik for R2

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the 2nd and 3rd respondents to consider the petitioner's representation dated 01.02.2023 and provide the medical reimbursement of Rs.69,000/- and Rs.1,54,746/- respectively as per the Medical bills submitted by the petitioner.



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2. Heard Mr.K.Muthumalai, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents 1 & 3 and Mr.C.Karthik, learned counsel appearing for the 2nd respondent.

3. The petitioner herein had given representation to the respondents on 01.02.2023 seeking for medical reimbursement under New Health Insurance Scheme. Since the said representation was 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



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derelection 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 required to be given with a direction to consider the representation of the petitioner within a specific 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 01.02.2023 on its own merits and pass appropriate orders in accordance with law, within a period of three 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.



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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

To

1.The Directorate of Medicine and Rural Health Development,
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2.The Zonal Manager,
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R.N.MANJULA, J.

PJL

Order made in
W.P.(MD)No.20431 of 2023

Dated:
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