



WEB COPY

W.P.(MD) No.25066 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.25066 of 2018

E.Muthu

... Petitioner

-VS-

- 1.Principal Secretary to Government of Tamil Nadu
Department of Finance (Pension)
Secretariat, Chennai
- 2.Director
Health and Rural Services
Chennai
- 3.Director of Treasuries and Accounts
Panagal Building
2nd Floor, Saidapet
Chennai-15
- 4.The District Collector
Pudukkottai District
- 5.The Treasury Officer
District Treasury Office
Pudukkottai



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6.The Divisional Manager
United India Insurance
Company Limited
Divisional Office-6
PLA Rathna Towers
5th Floor, 212, Anna Salai
Chennai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the second respondent in O.Mu.No.60599/Kape1/3/2016 dated 08.06.2017 and quash the same as illegal and arbitrary and in consequence thereof direct the respondents to sanction and reimburse medical expenses of Rs.39,400/- (Rupees thirty nine thousand four hundred only) for Grade-II Prostatic enlargement with obstructive changes treatment undergone by the petitioner at Advanced Kidney Care Center, Fathima Hospital, along with 9% interest till the date of payment.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader for R1 to R5
Mr.A.Shajahan for R6



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ORDER

This writ petition has been filed challenging the order, dated 08.06.2017, passed by the second respondent, rejecting the petitioner's request for reimbursement of his medical expenses amounting to Rs.39,400/-.

2. Counter affidavits have been filed by the respondents.

3. Learned counsel for the petitioner drew the attention of this Court to Paragraph No.18 of the counter affidavit filed by the third respondent and would submit that the petitioner is willing to submit an application under the Tamil Nadu Medical Attendance Rules to the competent authority for reimbursement of his medical expenses amounting to Rs.39,400/-, which has been sought for in this writ petition.

4. Learned Additional Government Pleader appearing for the respondents 1 to 5 and the learned counsel appearing for the sixth respondent have also not raised any serious objection, if the petitioner is allowed to submit an application as stated supra.



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5. For the foregoing reasons, this writ petition is disposed of by granting liberty to the petitioner to submit an application under the Tamil Nadu Medical Attendance Rules to the competent authority for reimbursement of his medical expenses amounting to Rs.39,400/-, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said application, the competent authority under the Tamil Nadu Medical Attendance Rules shall pass final orders on merits and in accordance with law. If the petitioner is found eligible to obtain medical reimbursement of his medical expenses amounting to Rs.39,400/-, the same shall be reimbursed to him within a period of six weeks thereafter.

6. With the above directions, this writ petition is disposed of. No costs.

27.08.2024

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

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To:

- 1.The Principal Secretary to
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- 2.The Director,
Health and Rural Services,
Chennai.
- 3.The Director of Treasuries and Accounts,
Panagal Building,
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ABDUL QUDDHOSE, J.

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