



W.P.(MD).No.18653 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18653 of 2025

C.Karpagavalli

... Petitioner

-VS-

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat,
St. George Fort, Chennai.
2. The Commissioner Treasuries And Accounts,
No.571, Anna Salai,
Nandanam,
Chennai 600 035.
3. The District Collector,
District Collector Complex,
Korampallam,
Tuticorin,
Tuticorin District
4. The District Treasury Officer,
District Treasury Office Complex,
Tuticorin,
Tuticorin District.
5. The Managing Director,
United India Insurance Co. Ltd.,
Head Office,
No.19, Nungambakkam High Road,
4th Lane, Chennai 34.



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6. The Principal Accountant General,
Office of the Principal Accountant General,
Anna Salai,
Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents authorities to consider the medical reimbursement claim of deceased petitioner's husband of Rs.1,70,833/- with future interest 6 percent from his date of death 24.06.2020 within stipulated time fixed by this Court.

For Petitioners : Mr.N.Muthu Vijayan

For Respondents : Mr.S.R.A.Ramachandhran (R1 to R4)

Additional Government Pleader

Ms.Chamundi Bose (R6)

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the medical reimbursement claim of the petitioner's husband for a sum of Rs.1,70,833/- with interest 6 percent from his date of death ie., on 24.06.2020, within stipulated time fixed by this Court.



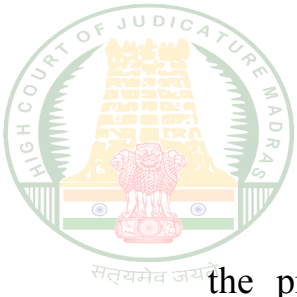
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2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Since no adverse order is proposed to be passed against the fifth respondent, notice to the fifth respondent is dispensed with.

3. The petitioner was working as Secondary Grade Teacher and she got retirement in the year 2002. She is receiving pension regularly. The petitioner has been paying subscription for the New Health Insurance Scheme 2014. While this being so, the petitioner's husband took treatment for his left toe injury and also hip joint bone fracture in two relevant periods in the year 2020. In spite of treatments, the petitioner died on 24.06.2020. The petitioner spent a sum of Rs.1,70,833/- for the said treatment and therefore, she made a claim for medical reimbursement. However, the same has not been disbursed. Hence, the petitioner made a representation to the respondents dated 17.02.2025, seeking the aforesaid relief. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. The learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, she confines



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the prayer that it would suffice if the representation submitted by the petitioner is disposed of in accordance with law.

5. 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 him 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 and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the third respondent to forward the petitioner's representation 17.02.2025 to the fifth respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the fifth respondent is directed to consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks thereafter. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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7. With the above observations and directions, the Writ Petition stands

disposed of. There shall be no order as to costs.

10.07.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
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