

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18090 of 2004

Between:

K.V.S. Raghupathi Rao,

S/o. Late K. Krishna Murthy,
Bharat Heavy Plates & Vessels Ltd.,

Senior Secondary School, BHPV Township,
Visakhapatnam-530 001.

..... PETITIONER

AND

1 BHPV School Managing Committee,

rep. by its Chairman, BHPV Township,
Visakhapatnam.

2 Bharat Heavy Plates & Vessels Ltd.,

rep. by its Managing Director,
BHPV Township, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not considering the representation dt. 22.2.2000 submitted by the petitioner for reimbursement of the medical expenditure incurred for the purpose of undergoing open heart surgery, as illegal, arbitrary, unconstitutional, and consequently direct the respondents to pass appropriate orders on the representation dt. 22.2.2000 and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. S.DEVI KISHAN

Counsel for the Respondents: Mr. ARAJASHEKAR REDDY (SC FOR CG)

The Court made the following ORDER:

The petitioner is working as a teacher in the respondents-undertaking. He has been working with the 1st respondent-institution since 16-6-1983. He suffered heart ailment and has undergone by-pass surgery at Apollo Hospital, Visakhapatnam on 8-1-2000. He incurred an expenditure of Rs.1,50,000/-. Subsequently, he approached the respondents requesting to reimburse the medical expenditure incurred by him for the open-heart surgery on the basis of the relevant medical bills.

The grievance of the petitioner is that the respondents so far did not consider his request and no orders have been passed regarding his claim for reimbursement of the medical expenses. The petitioner, therefore, approached this Court seeking to declare the action of the respondents in not considering his representation dated 22-2-2000 for reimbursement of the medical expenses incurred for his open-heart surgery as illegal, arbitrary and unconstitutional.

In the light of the circumstances explained by the petitioner, the 2nd respondent is directed to pass appropriate orders on the representation of the petitioner dated 22-2-2000 regarding his request for reimbursement of the medical expenses incurred by him for the open-heart surgery by taking into consideration the existing rules regarding the medical reimbursement, the eligibility of the petitioner etc., within four weeks from the date of receipt of a copy of this order.

This Writ Petition is accordingly disposed of.

(Dr.G.YETHIRAJULU,J)

6th October, 2004.

Note : Furnish C.C. in two days.

B/o

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To

- 1 The Chairman,
BHPV School Managing Committee,
BHPV Township,
 Visakhapatnam.
- 2 The Managing Director,
Bharat Heavy Plates & Vessels Ltd.,
BHPV Township,

Visakhapatnam.

3 Two CD Copies.