



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.23100 of 2016

R.Saroja

.... Petitioner

Vs.

1.The Director of Pension,
DMS Complex, Chennai 6.

2.The Joint Director of Medical and
Rural Health Services and
Family Welfare, Theni at Periyakulam,
Theni District.

3.The District Collector,
Theni District, Theni.

4.The District Treasury Officer,
District Treasury, Theni.

... Respondents

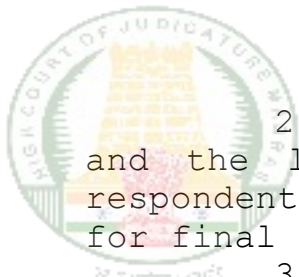
Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to Reimburse a sum of Rs.46,117/- (Rupees forty six thousand one Hundred and Seventeen only) being the actual medical expenditure incurred by the petitioner for the treatment FRACTURE NECK OF FEMCR LEFT HIP given to the petitioner's husband S.Rajaram (late) at Rathinam Ortho Centre, Theni within a specified period that may be fixed by this Court.

For Petitioner :Mr.S.Govindan

For Respondents : Mr.M.Murugan
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to reimburse a sum of Rs.46,117/- (Rupees forty six thousand one Hundred and Seventeen only) being the actual medical expenditure incurred by the petitioner for the treatment given to the petitioner's husband for the treatment.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. The brief facts leading to the filing of this writ petition are as follows:

The petitioner retired from service as Live Stock Inspector Grade-I in Animal Husbandry Department, on 31.08.1994. The petitioner is contributing to the Employees Health Fund Scheme, from the date of its inception.

3(1). The petitioner's husband became sick due to fracture neck of FEMCR left hip and he was admitted at Rathinam Ortho Centre, Old G.H. Road, Theni. The petitioner incurred an expenditure of Rs.46,117/- for the treatment and she is entitled to claim Rs.2,00,000/-, under the New Health Insurance Scheme.

3(2). The petitioner applied for reimbursement on 17.11.2015 and the same was verified and forwarded by the respondents 2 and 3. The District Level Empowered Committee in respect of Theni District recommended the case of the petitioner under New Health Insurance Scheme on 17.12.2015. Despite the recommendation made, the first respondent is yet to sanction the amount and therefore, this writ petition has been filed.

4. The learned Government Advocate appearing for the respondents would submit that it is agreeable for the first respondent to sanction the claim of the petitioner in the light of the New Health Insurance Scheme as well as G.O.No.462, Finance (Pension) Department, dated 27.12.2013.

5. Recording the submission made by the learned Government Advocate appearing for the respondents, the first respondent is directed to sanction the claim of the petitioner in the light of the recommendation made by the District Level Empowered Committee, New Health Insurance Scheme as well as G.O.No.462, Finance (Pension) Department, dated 27.12.2013, within a period of eight weeks, from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub Assistant Registrar

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To

1. The Director of Pension,

<https://hcservices.ecourts.gov.in/hcservices/>

DMS Complex,
Chennai 6.



2.The Joint Director of Medical and
Rural Health Services and
Family Welfare, Theni at Periyakulam,
Theni District.

3.The District Collector,
Theni District, Theni.

4.The District Treasury Officer,
District Treasury, Theni.

+1cc to Mr.S.Govindan, Advocate Sr.No. 78188

+1cc to Spl.Government Pleader Sr.No. 78985

JAM/31.01.2017/ SV-MMS/3P-7C

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