

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.06.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.12561 of 2017

M.Ganesan

.. Petitioner

Vs.

1. The Director of Medical & Rural Health Services & Member Secretary of State Level Empowered Committee, [Under New Health Insurance Scheme], Chennai - 600 006.

2. The Joint Director of Health Services, Office of the Joint Director of Health Services, Kanchipuram, Kanchipuram District.

3. The Divisional Manager, United India Insurance Company Limited, Divisional Office VI, V Floor, P.L.A.Rathna Towers, 212, Anna Salai, Chennai - 600 006.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent no.1 to consider and decide the appeal of the petitioner dated 07.11.2016 made under clause 12[b] of New Health Insurance Scheme approved in under G.O.Ms.No.171, Finance [Pension Department] dated 26<sup>th</sup> June, 2014 issued by the Government of Tamil Nadu on merits and in accordance with law.

For Petitioner : Mr.M.Radhakrishnan

For Respondent Nos.1 & 2 : Mr.Thangapandian  
Government Advocate

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. The petitioner has come to this Court seeking a direction to the first respondent to consider and decide the appeal dated 07.11.2016 made under clause 12[b] of New Health Insurance Scheme approved in G.O.Ms.No.171, Finance [Pension Department] dated 26<sup>th</sup> June, 2014 issued by the Government of Tamil Nadu, on merits and in accordance with law.

3. The petitioner is a State Government Pensioner and he availed the Health Care Assistance under G.O.Ms.No.171, Finance [Pension Department] dated 26<sup>th</sup> June, 2014 issued by the Government of Tamil Nadu. On 25.10.2015, the wife of the petitioner underwent a surgery and out of Rs.1,34,120.75, the third respondent has paid only Rs.49,000/-. Therefore, the petitioner submitted representations before the respondents seeking to reimburse the balance amount which the petitioner had paid for the treatment of his wife. However, the second respondent has rejected the claim of the petitioner. As against the said order, the petitioner preferred an appeal under Clause 12[b] of New Health Insurance Scheme approved in G.O.Ms.No.171, Finance [Pension Department] dated 26.06.2014 . Since there was no response, the petitioner is before this Court.

4. Heard M.Radhakrishnan, learned counsel appearing for the petitioner. Mr.Thangapandian, learned Government Advocate appearing for the respondents 1 and 2, who sought reasonable time to consider the appeal made by the petitioner.

5. Considering the limit relief sought for by the petitioner, this Court directs the first respondent to consider the appeal of the petitioner dated 07.11.2016 and pass appropriate orders, on merits and in accordance with law, within a period of five weeks from the date of receipt of a copy of this order.

6. With this direction, the Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sri

To

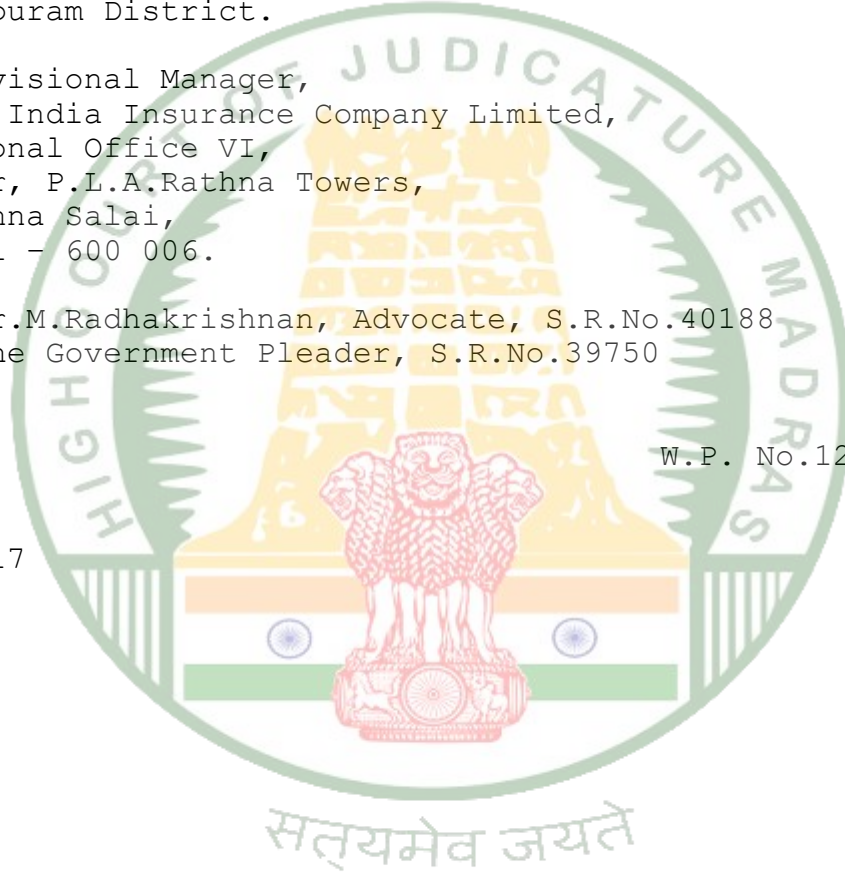
1. The Director of Medical &  
Rural Health Services & Member  
Secretary of State Level Empowered Committee,  
[Under New Health Insurance Scheme],  
Chennai - 600 006.
2. The Joint Director of Health Services,  
Office of the Joint Director of Health Services,  
Kanchipuram,  
Kanchipuram District.
3. The Divisional Manager,  
United India Insurance Company Limited,  
Divisional Office VI,  
V Floor, P.L.A.Rathna Towers,  
212, Anna Salai,  
Chennai - 600 006.

+1cc to Mr.M.Radhakrishnan, Advocate, S.R.No.40188

+1cc to the Government Pleader, S.R.No.39750

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MSM(CO)  
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