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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 14.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A (MD) .No.729 of 2017

and

C.M.P. (MD)No. 5493 of 2017

1.The State represented by
The Joint Director,
Department of Medical and Rural Health Services,
Chennai - 600 006.

2.The Commissioner,
Department of Treasury and Accounts Department,
Panagal Building, Saidapet, Chennai - 15.

3.The Chairman,
District Level Empowered Committee,
Fort Chief Minister's Government Employees,
New Health Insurance Scheme,
Office of the Joint Director of Medical and
Rural Health Services, Kottar, Nagercoil.

4.The Joint Director,
Medical and Rural Health Service,
Office of the Joint Director,
Kanyakumari at Nagercoil,
Kanyakumari District.

... Appellants/Respondents

Vs

J.Dhaya

...Respondent/Petitioner

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patents Act, against the order in WP(MD)No.7604 of 2014 Dated 30.04.2014.

Prayer in WP(MD) . 7604/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to impugned order in Mu.Mu.No.2898/Ka.B1/3/2014 dated 10.03.2014 passed by the 1st respondent rejecting the petitioners claim for medical reimbursement and quash the same and consequently direct the 2nd respondent to reimburse the petitioner with the medical expenses of Rs.1,12,277.73 incurred for the treatment of the petitioner spouse under the Chief Minister's Government Employees New Health Insurance



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For Appellants

: Mr.V.R.Shanmuganathan
Special Government Pleader

For Respondent

: No appearance

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

This appeal by the state is directed against the order in WP (MD)No.7604 of 2014 Dated 30.04.2014. The said writ petition was filed challenging the refusal of grant of medical reimbursement for the treatment taken by the writ petitioner's spouse, only reason being that the treatment was given in the non network hospital.

2.The Writ Court took into consideration of the earlier order in WP(MD)No.8449 of 2007 dated 25.09.2013 and allowed the writ petition. The order passed in the writ petition has been affirmed by the Division Bench.

3.The appellants cannot reject the claim for reimbursement, on the ground that the treatment was given in the non network hospital and no ground has been made out to interfere with the order passed the writ petition.

4. With the above observation, the writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P & A)

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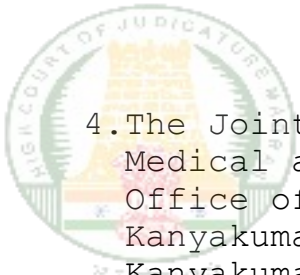
Sub Assistant Registrar

To

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Kanyakumari at Nagercoil,
Kanyakumari District.

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DSK/RMK

JS/GT/SAR.1/5.7.2017/3P-5C

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