



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.10.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.18552 of 2017

A.Leema Rose

... Petitioner

Vs.

1. The Joint Director of Medical and Rural Health Service,
Ayur Vedha Medical College Campus,
Kottar, Kanyakumari District.
2. The District Collector,
Kanyakumari District
at Nagercoil.
3. The District Treasury Office,
Nagercoil, Kanyakumari District.
4. The Chief Nodal Officer,
United India Insurance Company Ltd,
Divisional Office 010 600,
Rathna Tower's 5th Floor,
212, Anna Salai, Chennai - 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to provide the medical reimbursement of Rs.1,73,688/- to the Petitioner for the treatment of the Petitioner's husband within a time frame to be stipulated by this Court.

For Petitioner	: Ms.A.Elis Chitra Devi
For Respondents 1 to 3	: Mr.J.Gunaseelan Muthiah Government Advocate
For Respondent No.4	: No appearance

ORDER

This writ petition has been filed, seeking a writ of Mandamus, directing the respondents to provide the medical reimbursement of Rs.1,73,688/- to the Petitioner for the treatment of the Petitioner's husband.

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

2.Heard the learned counsel for the petitioner and the learned



Government Advocate appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel for the petitioner would submit that the petitioner is working as Typist in Public Works Department at Nagercoil. Her Health Insurance Identity Card Number is KKM/01/PM303/NHIS/12/717782 and insurance premium amount is deducted from her salary every month. On 24.07.2016, petitioner's husband was admitted and treated in NIMS hospital, Neyyatrinkarai, Thiruvananthapuram, which is listed in S.No.651 as per the Government Order, due to problem in brain and the petitioner has incurred medical expenditure of Rs.1,73,688/- but he died on 02.08.2016. So, the petitioner, along with all particulars sent a representation on 06.09.2016, claiming reimbursement of the medical expenditure, to the first respondent, who in turn directed the petitioner to appear before the District Level Empowered Committee and accordingly she appeared before the said committee on 28.09.2016. Subsequently, the Committee sent the report to the 4th respondent along with the recommendation of the first respondent. Again the petitioner sent a detailed representation on 06.09.2016 to the first respondent followed by a reminder on 28.12.2016. But, she has been made to run from pillar to post and no action has been taken by the respondents on her representations. Hence, the petitioner is before this Court, seeking direction to the respondents to consider her representations.

4. Mr. Gunaseelan Muthiah, the learned Government Advocate, takes notice for the respondents and would submit that the representation of the petitioner would be considered in accordance with law within the time stipulated by this Court.

5. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 06.09.2016 and 28.09.2016 pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar



To

1. The Joint Director of Medical and Rural Health Service,
Ayur Vedha Medical College Campus,
Kottar, Kanyakumari District.

2. The District Collector,
Kanyakumari District
at Nagercoil.

3. The District Treasury Office,
Nagercoil,
Kanyakumari District.

+ 1 CC TO M/s.A.ELIS CHITRA DEVI, ADVOCATE IN SR No. 81917

DSK

TE/GT/SAR-IV : 23/10/2017 : 3P/5C

ORDER MADE IN
W.P (MD) No.18552 of 2017
06.10.2017