

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 25.9.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.2043 of 2018

UNITED INDIA INSURANCE CO.LTD  
PLA RATHINA TOWERS 212 ANNA SALAI  
CHENNAI 6.

Appellant

Versus

1 K.P.RAMALINGAM

2 THE DISTRICT COLLECTOR  
VELLORE DT.

3 THE DIRECTOR  
STATE TREASURY AND ACCOUNTS  
DEPARTMENT  
PANAGAL BUILDINGS SAIDAPET  
CHENNAI 15.

4 THE DISTRICT TREASURY OFFICER  
VELLORE DISTRICT TREASURY OFFICE  
SATHUVACHERI VELLORE 9.

5 THE JOINT DIRECTOR OF MEDICAL  
AND RURAL HEALTH SERVICES  
VELAPADI VELLORE 632 001.

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 18.1.2018 passed in W.P.No.12233 of 2016 on the file of this court.

Prayer in WP.No.12233/2016:Writ petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents herein to reimburse the petitioners Medical Bill Amount under the pensioners New Health Insurance Scheme 2014 for a sum of Rs.1 43 709-00 (Rupees One Lakh Forty Three thousand Seven hundred and Nine only) with accrued interest at 9% per annum in pursuance to the petitioners representation dated 13.12.2014, 18.5.2014, 15.6.2015 and 25.1.2016.

For appellant : Mr.T.Shanmugam  
For RR2 to 5 : Mr.R.Govindasamy,  
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant-Insurance Company and Mr.R.Govindasamy, learned Special Government Pleader, who takes notice on behalf of respondents 2 to 5.

2. The writ appeal is filed by the Insurance company as against the order passed by the learned Single Judge imposing a cost of Rs.50,000/- upon the Insurance Company for the delay in reimbursing the medical claim of the first respondent herein.

3. It is submitted by the learned counsel for the appellant-Insurance Company that the claim has already been settled in favour of the first respondent herein and imposition of cost of Rs.50,000 was totally unwarranted.

4. Having heard the learned counsel appearing for the parties and perused the materials available on record, we find that indisputably, there happened to be some delay in settling the claim by the appellant, of course, due to some interim correspondence regarding verification of the authenticity of the claim and the decision being taken by the Committee concerned. Therefore, we are of the view that the cost imposed by the learned Single Judge can be waived with a warning to the Insurance Company to be more vigilant in future. Accordingly, the order passed by the Single Judge is modified, waiving the cost imposed and the appellant-Insurance Company is directed to be more cautious in future while dealing with genuine cases, by attending the same at the earliest. The writ appeal is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To:

1. UNITED INDIA INSURANCE CO.LTD  
PLA RATHINA TOWERS 212 ANNA SALAI  
CHENNAI 6.

2 THE DISTRICT COLLECTOR  
VELLORE DT.

3 THE DIRECTOR  
STATE TREASURY AND ACCOUNTS  
DEPARTMENT  
PANAGAL BUILDINGS SAIDAPET  
CHENNAI 15.

4 THE DISTRICT TREASURY OFFICER  
VELLORE DISTRICT TREASURY OFFICE  
SATHUVACHERI VELLORE 9.

5 THE JOINT DIRECTOR OF MEDICAL  
AND RURAL HEALTH SERVICES  
VELAPADI VELLORE 632 001.

+1cc to M/s.T.Shanmugam, Advocate SR.NO.66378

+1cc to Government Pleader SR.NO.66685

AD(co)  
sm:13.11.2018

W.A.No.2043 of 2018

सत्यमेव जयते

WEB COPY