



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P (MD) No.1456 of 2018

WEB COPY

Arundhathikutty

... Petitioner

Vs.

1.The Director,
Medical and Rural Development
Department,
Government of Tamil Nadu,
St.George Fort, Chennai.

2.The Director of Treasury,
Panagal Maligai, Saidapet,
Chennai - 600 015.

3.The District Treasury Officer,
Madurai District, Madurai.

4.The Sub Treasury Officer,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records in pertaining to the order of the first respondent in ~~ஒ.மு.எண்.60599/க.பி.1/3/2016~~ dated 08.06.2017 and quash the same and issue the direction to the respondents to give the Medical reimbursement amount of Rs.1,45,089/-.

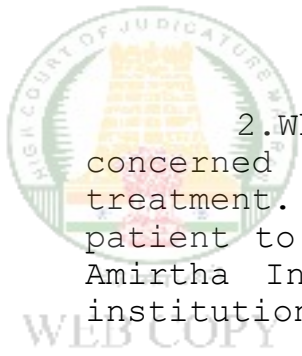
For petitioner

: Mr.S.D.Krishnakumar

For respondents

: Mr.M.Jeyakumar,
Addl. Govt.PleaderORDER

The petitioner was working as a Nurse in the Health Department. She retired from service. She suffered an heart attack on 02.09.2014. She was admitted in Amirtha Institute of Medical and Research Centre, Kochin. She also underwent a surgery. She spent a sum of Rs.1,45,089/-. She was discharged from the said hospital. Thereafter, she sought reimbursement of the said sum of Rs.1,45,089/- which has been incurred by her. By the impugned order dated 05.06.2017, the request made by the petitioner was rejected on the ground that the treatment was taken in the non network hospital. The petitioner was in Kerala when she suffered an heart attack. Considering the urgency of the situation, she had to take treatment in the said non network hospital.



2. When the circumstances are truly emergent, the employee concerned cannot be in search of a network hospital for taking treatment. The relatives or friends would necessarily rush the patient to the nearest hospital which is also the best institution. Amirtha Institute of Medical and Research Centre is a reputed institution.

3. Therefore, considering the facts and circumstances of the case, the order impugned in this writ petition is quashed. The respondents are directed to reimburse the said amount of Rs.1,45,089/- to the petitioner within a period of eight weeks from today.

4. The writ petition is allowed as indicated above. No costs.

Sd/-

Assistant Registrar (CSIII)

/True Copy/

Sub-Assistant Registrar

To

1. The Director,
Medical and Rural Development
Department,
Government of Tamil Nadu,
St. George Fort, Chennai.

2. The Director of Treasury,
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3. The District Treasury Officer,
Madurai District, Madurai.

4. The Sub Treasury Officer,
Thirumangalam,
Madurai District.

+One cc to Mr. S.D. Krishna Kumar, Advocate, SR.No.48809
+One cc to The Special Government Pleader, SR.No.48846

skm

RL/7C/2P/KKR/SAR2/9/3/2018