



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.19057 of 2018

WEB COPY

S.Mohanaraj

... Petitioner

vs.

1.The Director of Medical and
Rural Health Services
Member Secretary
The State Level Empowered Committee
New Health Insurance Scheme for
Pensioners / Family Pensioners
DMS Complex, Annasalai
Chennai-600 006

2.The Treasury Officer
District Treasury
Kanyakumari District
Nagerkovil

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the first respondent to consider and pass orders on the petitioner's appeal dated 01.06.2018 more particularly within a stipulated time.

For Petitioner : Mr.J.Pooventherarajan

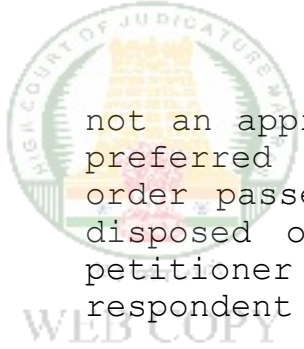
For Respondents : Mr.M.Pandiarajan

Additional Government Pleader

ORDER

The petitioner is a retired Block Development Officer in the Rural Development Department. After his retirement, he has been receiving monthly pension and also subscribed to the New Health Insurance Scheme, 2014 sponsored by the Government of Tamil Nadu. During 2017, the petitioner suffered heart attack and he was admitted to the nearby Hospital in Secundrabad, where he had gone to visit his daughter. Thereafter, he underwent medical treatment and discharged from the Hospital on 23.11.2017. For the treatment, the petitioner appears to have incurred a sum of Rs.2,00,000/- towards medical expenses.

2. Since the petitioner has subscribed to the New Health Insurance Scheme, 2014, he submitted an application, dated 01.03.2018, before the second respondent claiming reimbursement of the expenses incurred by him. However, his claim was rejected by the second respondent, vide proceedings dated 08.05.2018, stating that the Hospital in which the petitioner had taken treatment, was



not an approved Hospital. Therefore, on 01.06.2018, the petitioner preferred an appeal before the first respondent challenging the order passed by the second respondent and the appeal has not been disposed of by the first respondent till date. Hence, he the petitioner is before this Court seeking a direction to the first respondent to dispose of his appeal at an early date.

3. According to the learned counsel for the petitioner, a direction may be issued to the first respondent to dispose of the petitioner's appeal within a time stipulated by this Court.

4. Mr.M.Pandiarajan, learned Additional Government Pleader, takes notice for the respondents and he would have no objection for issuing such a direction to the first respondent.

5. In view of the limited prayer being sought in this writ petition, this Court disposes of the writ petition, at the admission stage itself, with a direction to the first respondent to dispose of the petitioner's appeal, dated 01.06.2018, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1.The Director of Medical and
Rural Health Services,
Member Secretary,
The State Level Empowered Committee
New Health Insurance Scheme for
Pensioners / Family Pensioners,
DMS Complex, Annasalai, Chennai-600 006.

2.The Treasury Officer, District Treasury,
Kanyakumari District, Nagerkovil.

+1CC to Mr.J.Pooventherarajan, Advocate, SR.No.81896

+1CC to the Special Government Pleader SR.No. 81916

W.P.(MD) No.19057 of 2018

03.09.2018

KRK