

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2019

CORAM

THE HON'BLE Mr.Justice M.DHANDAPANI

W.P.No.15910 of 2018

P.Duraisamy

... Petitioner

.vs.

1.The Collector,
Salem District,
Salem.

2.The Joint Director,
Medical and Rural Health Services,
Salem,
Salem District.

3.The Assistant Treasury Officer,
Sub Treasury,
Mettur,
Salem District.

4.MD India Health Care Services (TPA) Private Ltd.,
(Unit of United India Insurance Company Ltd.),
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or order or direction in the nature of a writ directing the respondents to reimburse the medical expenses of Rs.4,25,130/- (Rupees Four Lakhs Twenty Five Thousand One Hundred and Thirty Only) incurred by the petitioner for the medical treatment of his wife at G.Kuppusamy Naidu Hospital, Coimbatore.

For Petitioner	: Mr.V.Elangovan
For Respondents	: Mrs.R.Janaki
1 to 3	Additional Government Pleader

O R D E R

This Writ Petition is filed by the petitioner seeking to direct the respondents to reimburse the medical expenses of Rs.4,25,130/- (Rupees Four Lakhs Twenty Five Thousand One

Hundred and Thirty Only) incurred by the petitioner for the medical treatment of his wife at G.Kuppusamy Naidu Hospital, Coimbatore.

2. The case of the petitioner is that he was working as a Head Master in the Government Elementary School and retired from the service on 31.08.2005. Later he joined in the Government NHIS Medical Insurance. The petitioner's wife Kalavathi was affected with sudden paralysis and stroke on 22.11.2016 and she was admitted in G.Kuppusamy Naidu Hospital, Coimbatore and underwent surgery on 08.01.2017. The petitioner has spent a sum of Rs.4,25,130/- (Rupees Four Lakhs Twenty Five Thousand One Hundred and Thirty) for her medical treatment.

3. According to the petitioner, based on G.O.Ms.No.243 dated 29.06.2012, which introduced a New Health Insurance Scheme, 2012 for providing health care assistance to the employees of various Government Departments, the petitioner is eligible to get medical assistance. Therefore, the petitioner made representation to the respondents 1,3 and 4 on 11.11.2017 for reimbursement of the medical expenses incurred for the treatment of his wife. After several reminders to the respondents, the third respondent on 11.04.2018 forwarded the representation to the second respondent for necessary action. However, no action was taken by the respondents to reimburse the medical expenses spent by the petitioner. Hence, the petitioner made a reminder to the first respondent on 30.04.2018. However, till date, no action regarding reimbursement of money towards medical expenses was taken by the respondents. Hence, he filed the present Writ Petition.

4. The learned counsel for the petitioner would submit that it would suffice to issue direction to the respondents to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue a direction to the respondents to dispose of the representation, if not disposed of already, within a period of four (4) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Collector,
Salem District,
Salem.

2.The Joint Director,
Medical and Rural Health Services,
Salem,
Salem District.

3.The Assistant Treasury Officer,
Sub Treasury,
Mettur,
Salem District.

4.MD India Health Care Services (TPA) Private Ltd.,
(Unit of United India Insurance Company Ltd.),
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600004.

+1cc to Mr.V.Elangovan, Advocate SR.81240

+1cc to the Government Pleader SR.81622

W.P.No.15910 of 2018

(CO)
CB(08/11/2019)

सत्यमेव जयते

WEB COPY