

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21787 of 2019

S.Kamalam

.. Petitioner

Vs.

- 1.The Director of School Education,
D.P.I.College Road,
Chennai- 600 006.
- 2.The Divisional Manager,
United India Insurance Co Ltd.,
Divisional Office-VI,
P.L.A. Rathna Towers,
5th Floor, No.212, Anna Salai,
Chennai- 600 006.
- 3.The Deputy Director,
Health and Family Welfare Department,
Thanjavur - 613 007.
- 4.The Chief Educational Officer,
Panagal Building,
Thanjavur -613 001,
Thanjavur District.
- 5.The Sub Treasury Officer,
Sub Treasury Office,
Thanjavur,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the first and second respondents to sanction the Medical expenses for an amount of Rs.2,37,147/- incurred by the petitioner towards the petitioner's spouse's treatment, which was undergone in 'Apex Heart Hospital, Thanjavur'.

For Petitioner : Mr.P.Sivakumar
For Respondents : Mr.V.Annalakshmi
Government Advocate

ORDER

This writ petition has been filed to direct the first and second respondents to sanction the Medical expenses for an amount of Rs.2,37,147/- incurred by the petitioner towards the petitioner's spouse's treatment, which was undergone in 'Apex Heart Hospital, Thanjavur'.

2.The case of the petitioner is that the petitioner is a retired Physical Education Teacher, presently working at Government Girls Higher Secondary School, Papanasam, Thanjavur District. The petitioner is a member of the Government of Tamilnadu New Health Insurance Scheme and membership contract with the United India Insurance Co. Ltd., the ID is TNJ101/SB5B1/ NHIS16/3000141. The petitioner is also paying the subscription. The insurance scheme covers the petitioner's family members also.

3.The learned counsel for the petitioner submitted that the petitioner's husband underwent Angio-plast surgery for his Heart problem in Apex Heart Hospital, Thanjavur, which is the speciality hospital nearby the petitioner's residence. The petitioner's husband was admitted in the hospital for four days and spent Rs.2,37,147/- towards treatment. Since the petitioner is a member in New Health Insurance Scheme under the pensioner's programme, the petitioner is paying monthly subscription. Therefore, the petitioner is eligible for the reimbursement of medical expenses. Hence, the petitioner made representation to the District Collector, Thanjavur on 10.07.2018 and the same was rejected orally by the United India Insurance Co Ltd., saying that the hospital which taken treatment was need not be considered as per G.O.Ms.No.202, Finance (Salaries) Department, 30.06.2016.

4.After the rejection of her representation dated 10.07.2018, the petitioner sent an appeal to the respondents in person 21.04.2019. Since the petitioner's appeal was not yet considered, this writ petition came to be filed.

5.Considering the facts and circumstances of this case, the first and second respondents are directed to consider the petitioner's representation dated 21.04.2019 and pass

appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director of School Education,
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Sub Treasury Office,
Thanjavur,
Thanjavur District.

+1cc to Government Pleader sr.81145
+1cc to Mr.P.Sivakumar, Advocate sr.80635

W.P.No.21787 of 2019

rsi(co)
nr 23/10/2019