

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.09.2019
CORAM
THE HONOURABLE Mr. JUSTICE M. DHANDAPANI
W.P.No.26537 of 2019
and
W.M.P.No.25913 of 2019

I. Arputhamani

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Petitioner

vs

1.The Government of Tamil Nadu
rep. by its Secretary,
(Health and Family Welfare Department),
Fort St. George,
Chennai - 9.

2.The District Collector,
Erode District.

3.The Treasury Officer,
District Treasury,
Erode District.

4.The Medical Officer,
Government Hospital,
Bhavani,
Erode District.

5.M/s.United India Insurance Company Limited,
Divisional Office,
V Floor, PLA Rathna Tower,
212, Anna Salai, Chennai -6.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records with regard to the impunged order passed by the 3rd respondent vide his office Letter No NA.KA.NO 17699/U2/2018, dated 2.1.2019 and quash the same and consequently directing the Respondents 1 to 3 to reimburse the medical expenses of Rs.2 12 873 incurred by the petitioner for taking medical treatment to her husband, namely, Panal Alexandar

at M/S.Kuppusamy Naidu Hospital, Coimbatore with interest at the rate of 9 percentage from 23.08.2018 i.e., the date of payment made by the petitioner to the Hospital till date of reimbursement made to the Petitioner within the time fixed by this Court.

For Petitioner : Mr.I.C. Vasudevan

For Respondents : Mr.S.R.S. Selvam,
Government Advocate
for R1 to R4

Mr.P.Sankaranarayanan for R5

ORDER

This petition has been filed to quash the impugned order passed by the 3rd respondent, dated 2.1.2019 and to direct the respondents 1 to 3 to reimburse the medical expenses of Rs.2,12,873/- incurred by the petitioner for taking medical treatment to her husband, namely, Panal Alexandar at M/S.Kuppusamy Naidu Hospital, Coimbatore, with interest @ 9% per annum from 23.08.2018 i.e., the date of payment made by the petitioner to the Hospital till date of reimbursement.

2.It is submitted that the petitioner was working as Record Clerk under the 4th respondent Government Hospital and on attaining the age of superannuation on 30.06.2015, she retired from service and got pension from 01.08.2015. Her pension book Number is 30997427445 at State Bank of India, Collectorate Branch, Erode. On 30.07.2018, her husband, namely, Panal Alexandar, aged about 69 years, suffered from severe heart attack and admitted in M/s.Kuppusamy Naidu Hospital, Coimbatore and subsequently, discharged on 02.08.2018. Thereafter, the petitioner's husband re-admitted on 09.08.2108 and underwent an open heart surgery on 10.08.2018 and discharged from the hospital on 17.08.2018. The petitioner's husband has suffered block in four places in the heart and was undergone Open Heart Surgery and stents were placed on him. As such, the petitioner claimed the medical reimbursement before the respondents 1 to 3 and the same was not sanctioned for the reason that the abovesaid hospital is not the approved hospital under the New Health Insurance Scheme, 2016. Hence, this Writ Petition has been filed.

3.The issue in dispute has already been decided by various orders of this Court, particularly, by the order of the Hon'ble Division Bench in the case of the Government of Tamil Nadu rep. by its Secretary, Rural Development and Panchayat Department, Fort St. George, Secretariat, Chennai and others v. K. Kumararaja and two others, in W.A.No.2729 of 2018 dated 04.02.2019. In view of the above decisions, it is made clear that the petitioner is entitled for reimbursement of medical expenses.

Hence, this Court directs the respondents to consider the claim of the petitioner in the light of the orders passed by the Hon'ble Division Bench of this Court in W.A.No.2729 of 2018 dated 04.02.2019 for the purpose of remittance of the amount payable to the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS. VI)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Secretary,
(Health and Family Welfare Department),
Government of Tamil Nadu
Fort St. George,
Chennai - 9.

2.The District Collector,
Erode District.

3.The Treasury Officer,
District Treasury,
Erode District.

3/4

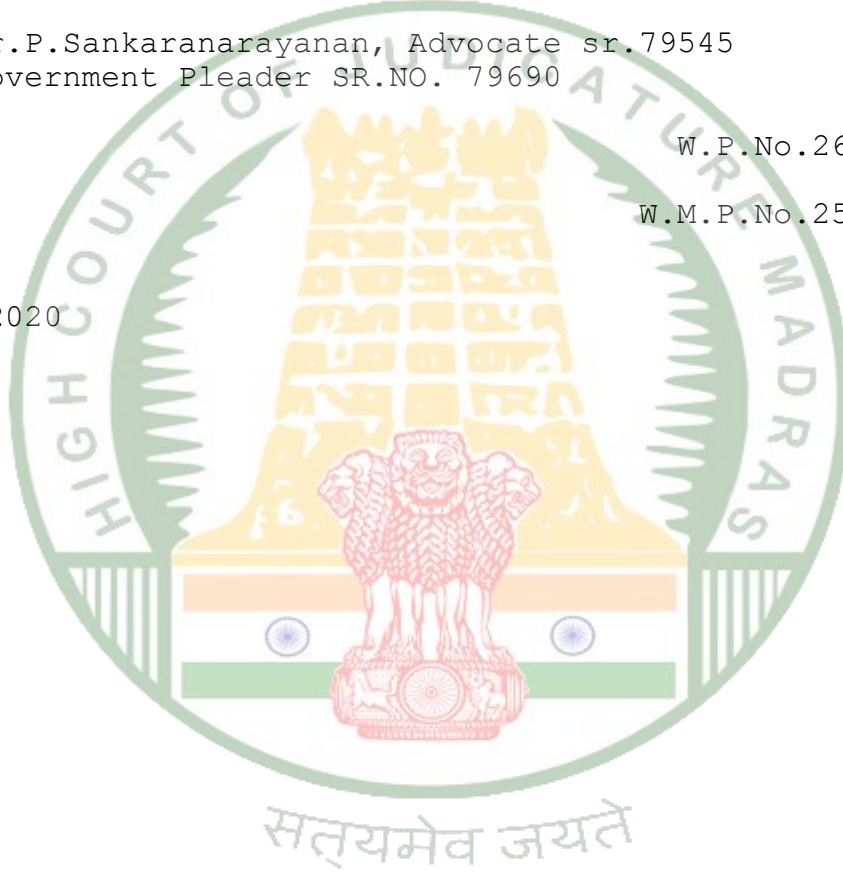
4.The Medical Officer,
Government Hospital,
Bhavani,
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5.M/s.United India Insurance Company Limited,
Divisional Office, V Floor,
PLA Rathna Tower,
212, Anna Salai,
Chennai -6.

+1cc to Mr.P.Sankaranarayanan, Advocate sr.79545
+1cc to Government Pleader SR.NO. 79690

W.P.No.26537 of 2019
and
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cp(co)
nr 17/02/2020



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