

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.31571 OF 2019

P.Pachaiyappan

..Petitioner

Vs

1. Directorate of Tamil Nadu Elementary Education,
rep. by its Director,
DPI Complex, College Road,
Chennai-600006.
2. The District Educational Officer,
Tiruvannamalai District,
Tiruvannamalai-606601
3. The Block Educational Officer-II
Tiruvannamalai District,
Tiruvannamalai.
4. Special Commissioner of Treasuries & Accounts
Panagal Building, No.I, Jeenis Road,
Saidapet, Chennai-600015.
5. MDindia Health Insurance TPA Private Limited,
rep. by Chief Manager,
Guna Complex
New Door No. 443 & 445, Old.No.304 & 305
Anna Salai, Teynampet,
Chennai-600018.

.. Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the fund from Tamilnadu Employees Health Fund for the Laproscopic Single Anastomosis Gastic Bypas and open Mesh repair of incisional Hernia underwent by the petitioner's wife namely Malarkodi, the balance amount of Rs.2,96,428/-.

For Petitioner : Mr.A.K.Rajaraman

For Respondents 1 to 3 : Mr.A.N.Thambidurai, Spl. G.P

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the the respondents to disburse the fund from Tamilnadu Employees Health Fund for the Laproscopic Single Anastomosis Gastic Bypas and open Mesh repair of incisional Hernia underwent by the petitioner's wife namely Malarkodi, the balance amount of Rs.2,96,428/-.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is working as head master in Panchayat Union Middle School and he is subscriber of compulsory health insurance scheme since 1998 and also for the enhanced scheme from 2016-2020 under NHS-16 administered by the 5th respondent. During the year 2016, the petitioner's wife namely Malarkodi was effected with Hernia and as advised by the doctors, she underwent surgery for Laproscopic Single Anastomosis Gastic Bypass and open Mesh repair of incisional Hernia, for which the petitioner incurred Rs.3,36,428/- for the said surgery, but the insurance company has paid only a sum of Rs.40,000/- stating that additional claim is not necessary for the said treatment. Claiming reimbursement of balance amount, the petitioner has sent a representation dated 07.08.2019 to the District Collector, Tiruvannamalai and he also sent copies of the said representation to the respondents. Since, no action has been taken on his representation, he filed the present writ petition.

4. Learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the first respondent to consider the petitioner's appeal and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 1st respondent to consider the representation dated 07.08.2019 made by the petitioner and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1. Directorate of Tamil Nadu Elementary Education,
rep. by its Director,
DPI Complex, College Road,
Chennai-600006.
2. The District Educational Officer,
Tiruvannamalai District,
Tiruvannamalai-606601
3. The Block Educational Officer-II
Tiruvannamalai District,
Tiruvannamalai.
4. Special Commissioner of Treasuries & Accounts
Panagal Building, No.I, Jeenis Road,
Saidapet, Chennai-600015.

+1cc to Mr.A.K.Rajaraman, Advocate, S.R.No.93456
+1cc to Government Pleader, in sr.no.93800

W.P.No.31571 of 2019

MP1 (CO)
CS/29/11/2019

सत्यमेव जयते

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