

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32682 of 2019

1 MR.K.G.MANICKAM ... Petitioner

Vs

- 1 THE Director of Medical and Rural Health Services (Member secretary State Level Empowered Committee on health Insurance Scheme for Pensioners) DMS Compound, Chennai-6.
- 2 The District collector Krishnagiri District krishnagiri (The Chariman District Level Empowered Committee on Health Insurance Scheme for Pensioners) ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to reimburse the Medical Expenses of Rs 1,26,290 incurred by the Petitioners wife for taking medical treatment at Chandrasekara Hospital Hosur, together with interest at the rate of 9 percentage per annum.

For Petitioner : Mr.V.Suthakar

For Respondents : Mr.A.N.Thambidurai, SPL.G.P.

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the Respondents to reimburse the Medical Expenses of Rs 1 26 290 incurred by the Petitioners wife for taking medical treatment at Chandrasekara Hospital Hosur, together with interest at the rate of 9 percentage per annum.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that the petitioner is a member of Tamil Nadu Government Health Fund Scheme 1993 (Pension pay order No.C9363 H.W) and his wife undergone a special surgery, has admitted as an inpatient and the petitioner incurred medical expenses of Rs.1,26,290/- and thereafter, he made an application on 28.11.2017 to the District Collector, Krishnagiri for reimbursement. However the said application was returned by the District Collector on the ground that the Chandrasekara Hospital where the petitioner's wife had undergone surgery, has not been listed hospital under the government order viz., G.O.Ms.171, Finance and Pension Department dated 26.06.2014. Aggrieved by the same, the petitioner made a representation on 30.11.2017 to the 1st respondent i.e. State Level Empowered Committee on Health Insurance Scheme and thereafter, the petitioner made several representations to the first and second respondents also, but their was no reply forthcoming from the respondents. Hence the petitioner is before this Court.

4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 30.11.2017 and to pass appropriate orders.

5.The learned Special Government Advocate appearing for the respondents while conceding the claim of the petitioner, would submit that if any such direction is given by this Court, the same would be complied with and the representation of the petitioner would be disposed of in accordance with law.

6. Considering the facts and circumstances of the case and the submissions made on either side, without going into the merits of the case, the respondents are directed to consider and dispose of the representation dated 30.11.2017 made by the petitioner in accordance with law and on merits, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

jrs

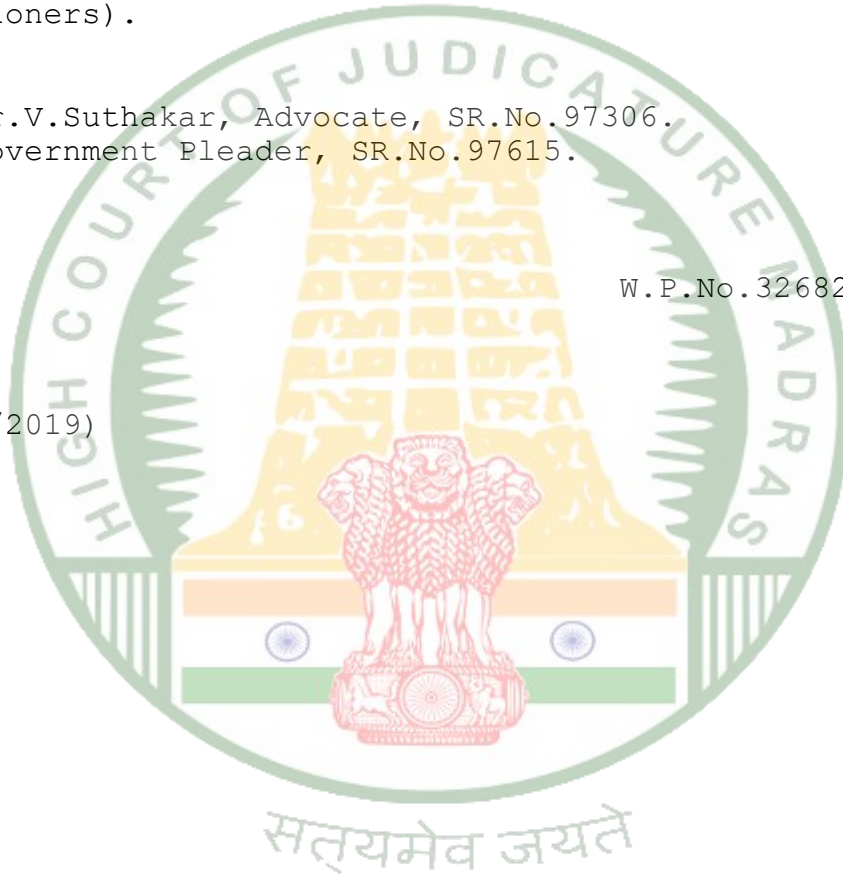
To

- 1 THE Director of Medical and
Rural Health Services (Member secretary
State Level Empowered Committee on health
Insurance Scheme for Pensioners)
DMS Compound, Chennai-6.
- 2 The District collector
Krishnagiri District krishnagiri
(The Chariman District Level Empowered
Committee on Health Insurance Scheme for
Pensioners).

+1cc to Mr.V.Suthakar, Advocate, SR.No.97306.
+1cc to Government Pleader, SR.No.97615.

W.P.No.32682 of 2019

PVS (CO)
CSR(31/12/2019)



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