



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2019

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.13464 of 2019

WEB COPY

S.Mohanaraj

... Petitioner

Vs.

The High Level Empowered Committee,
New Health Insurance Scheme for Pensioners/
Family Pensioners,
The Additional Chief Secretary to Government,
Finance Department,
Fort St. George,
Chennai-600 009.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider and pass orders on petitioner's appeal dated 21.01.2019 more particularly within a time frame as may be stipulated by this Court.

For Petitioner : Mr.J.Pooventhera Rajan
For Respondent : Mr.Aayiram K.Selvakumar,
Additional Government Pleader

O R D E R

The petitioner seeks for a writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's appeal, dated 21.01.2019.

2. The learned counsel appearing for the petitioner would submit that the petitioner was suffered massive heart attack and he was admitted to the Poulomi Hospital, Plot No.A2, B-17, Rukminipuri Colony, Dr.AS Rao Nagar, Secandarabad, Telangana and undergoing Percutaneous Transluminal Coronary Angioplasty and discharged from the hospital on 23.11.2017 and he has incurred a medical bill of Rs.2,00,000/-. The petitioner has made an application before the District Level Empowered Committee, Kanyakumari District at Nagercoil on 01.03.2018 for medical reimbursement. However, the said application was rejected by the concerned authority on 18.04.2018 stating that the Hospital in which the petitioner underwent treatment was not in the approved list of Hospitals. Aggrieved against the said rejection order, the petitioner has filed an appeal before the State Level Empowered Committee, Chennai and the same was also rejected by the



State Level Empowered Committee, Chennai stating that the petitioner had taken treatment in a non network hospital. Aggrieved against the said rejection order, the petitioner has made an appeal before the respondent on 21.01.2019 but no order has been passed and hence, the petitioner has filed the present writ petition for the aforesaid relief. Further, it would suffice, if the said authority is directed to dispose of the appeal made by the petitioner.

3. The learned Additional Government Pleader appearing for the respondent would submit that if a direction is issued to the respondent, the said appeal will be considered on merits and in accordance with law.

4. Considering the limited scope of the relief sought for in this petition and without going into the merits of the matter, this Court directs the respondent to consider the petitioner's appeal dated 21.01.2019 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To
The High Level Empowered Committee,
New Health Insurance Scheme for Pensioners/
Family Pensioners,
The Additional Chief Secretary to Government,
Finance Department,
Fort St. George,
Chennai-600 009.

+1cc to M/S J.POOVENTHERARAJAN, Advocate, Sr.No.68763
+1cc to M/S SPECIAL GOVERNMENT PLEADER, Sr.No.69257

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