



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.23986 of 2018

N.Subbarao

... Petitioner

-vs-

1.The Government of Tamil Nadu,
rep. by its Secretary to Government,
Finance (Pension) Department,
Fort St. George,
Chennai - 600 008

2.The United India Insurance Company Limited,
rep. by its Divisional Manager,
5th Floor, PLA Rathna Tower,
212, Anna Salai, Chennai - 600 006

3. The Director of Treasuries and Accounts,
Chennai - 600 015

4.The Director of Medical and Rural Health Services,
DMS Complex, Teynampet,
Chennai - 600 006

5.The District Treasury Officer,
Madurai Collectorate Complex,
Madurai - 625 020.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to pay forthwith to the petitioner Rs.1,18,944/- towards medical reimbursement as per the petitioner's representation dated 10.10.2017 under the "New Health Insurance Scheme - 2014" pursuant to G.O.Ms.No.171, Finance (Pension) Department, dated 26.06.2014 together with Rs.5,000/- towards compensation for the inordinate delay caused in disbursing the claim.

For Petitioner : Mr.M.P. Senthil

For R1, R3 to R5 : Mr. S. Angappan
Government Advocate

For R2 : Mr. A. Shajahan

**ORDER**

This writ petition has been filed, seeking to direct the second respondent to pay forthwith to the petitioner Rs.1,18,944/- towards medical reimbursement as per the petitioner's representation, dated 10.10.2017, under the "New Health Insurance Scheme - 2014" pursuant to G.O.Ms.No.171, Finance (Pension) Department, dated 26.06.2014, together with Rs.5,000/- towards compensation for the inordinate delay caused in disbursing the claim.

2. According to the learned counsel appearing for the petitioner, the New Health Insurance Scheme - 2014" covered by the State is applicable to the petitioner, but, the denial by the respondents, simply keeping the petitioner's representation is illegal.

3. The learned Government Advocate appearing for the respondents 1 and 3 to 5 submitted that the petitioner suppressed the material facts and circumstances, but availed entire benefit under the Scheme earlier.

4. Such submission made by the learned Government Advocate before this Court was duly denied by the learned counsel appearing for the petitioner.

5. In view of the above rival submissions and considering the facts and circumstances of the case, this Court directs the second respondent to consider the petitioner's representation dated 10.10.2017, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (Crl.Side)

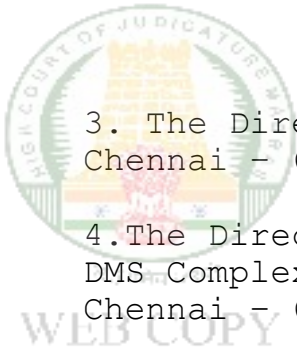
/True Copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,
Finance (Pension) Department,
Fort St. George,
Chennai - 600 008

2. The United India Insurance Company Limited,
Divisional Manager,
5th Floor, PLA Rathna Tower,
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5. The District Treasury Officer,
Madurai Collectorate Complex,
Madurai - 625 020.

+1CC TO Mr.M.P.Senthil, Advocate, SR No.49602

+1CC TO Mr.A.Shajahan, Advocate, sr No.49730

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.50137

W.P(MD) No.23986 of 2018
25.02.2019

trp

SP/05.04.2019/3P.9C