



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

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W.P(MD)No.16719 of 2019 and

WMP(MD) .No.13326 of 2019

Angayarkanni

... Petitioner

Vs.

1. The District Collector,
O/o. the District Collector,
Virudhunagar District.

2.The Empower Committee,
O/o. the District Collector,
Virudhunagar District.

3.Ramakrishnan

4.Rafeek Raja

5.The Joint Director,
Medical and Rural Health Services and Family Welfare,
Virudhunagar District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 3 and 4 to reimbursement of medical expenses of the petitioner's husband a sum of Rs.3,50,000/- with interest.

For Petitioner : Mr.S.M.A Jinnah
For Respondents : Mr. M. Pandiarajan
Government Advocate

ORDER

This Writ Petition has been filed for issuing a direction to the respondents 3 and 4 to reimbursement of medical expenses of



the petitioner's husband a sum of Rs.3,50,000/- with interest.

2. According to the petitioner, she is working as a Secondary Grade Teacher in Muslim Elementary School at Sivakasi, Virudhunagar District and she is a regular member of Tamil Nadu Government New Health Insurance Scheme from the date of announcement to till date and her ID Card Number is New. VNR/ 01/ EJ405 / NHIS16/73355. The petitioner's husband was admitted in Fortis Malar Hospital, Adayar, Chennai, for his ailment of Micronodular Cirrhosis of Liver with Portal Hypertension and the **Surgery** was done on 13.01.2014 and thereafter, he had been discharged from hospital on 22.01.2014 and incurred expenditure to the tune of Rs.3,50,000/-.

3. According to the petitioner, she made an application to the first respondent on 15.07.2017 for getting medical reimbursement. The first respondent by its proceeding in Na.Ka.K.No. K1/26314/2016, dated 01.08.2017, informed the petitioner that the application for reimbursement was forwarded to the 5th respondent and subsequently, the 5th respondent by its proceeding in Na.Ka.No.5352/Ma.Ku/2017, dated 07.09.2017 directed the petitioner to appear before the Medical Board on 11.09.2017 at 10.00 a.m., along with medical documents of petitioner's husband. Further, she was received communication from the first respondent vide his proceeding No. Na.Ka.K1/26314 /2016 dated, 28.12.2017 stating that after getting consent from the 2nd respondent committee, the request of the petitioner to disburse the medical expenses will be considered by the 3rd respondent. In such circumstances, the petitioner's husband passed away on 15.01.2018 at Government Medical Hospital, Thoothukudi. But, the said claim is pending for more than 5 years.

4. According to the learned Government Advocate appearing for the respondents, the petitioner's claim will be considered by the second respondent Committee as expeditiously as possible and thereafter, the claim of the petitioner will be considered for sanctioning medical expenses, if she is otherwise eligible.

5. In view of the said submission made by the learned Government Advocate appearing for the respondents, the respondents 3 and 4 are directed to consider the petitioner's representation based on the reports submitted by the District Level Committee and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, in any event, not later than twelve weeks from the date of receipt of a copy of this order. The petitioner has to enclose a copy of the entire proceedings along with a copy of this order to the respondents 3 and 4.



observation. No costs. Consequently, connected Miscellaneous
Petition is closed.

Sd/-

Assistant Registrar ()

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// True Copy //

Sub Assistant Registrar (CS)

trp

To

1. The District Collector,
O/o. the District Collector,
Virudhunagar District.

2.The Empower Committee,
O/o. the District Collector,
Virudhunagar District.

3.The Joint Director,
Medical and Rural Health Services and Family Welfare,
Virudhunagar District.

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-78496[F] dated 30/07/2019)

+1 CC to M/s.SPL GP (SR-78985[F] dated 31/07/2019)

W.P (MD) No.16719 of 2019 and
WMP (MD) .No.13326 of 2019
29.07.2019

KK/SAR/11.10.2019/3P-6C/