



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.08.2019**

CORAM:

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THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD) .No. 18041 of 2019

S. Albin Vimala

: Petitioner

Vs.

1. The State of Tamil Nadu,
represented by its Secretary,
Department of Finance (Pension),
Fort Saint George, Chennai - 600 009.
2. The Commissioner of Treasuries and Accounts
No.1, Jeenis Road,
Panagal Building, Saidapet, Chennai - 600 015.
3. The District Collector,
Tuticorin, Tuticorin District.
4. The Joint Director of Medical and Rural
Health Services,
166, North Kadarkarai Salai,
Tuticorin - 628 001.
5. The District Treasury Officer,
329, Sivanandha Kulam Road,
Near Kamaraj College,
Tuticorin - 628 003.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a **Writ of Mandamus**, directing the respondents to disburse forthwith a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) along with appropriate interest to the petitioner towards the medical expenses incurred towards treatment of petitioner's husband R.Jeyaprakash from 23.07.2018 to 01.08.2018 in SRM Institutes of Medical Science, Vadapalani.

For Petitioner

: Mr.A. Ajith Geethan

For Respondents

: Mr. Aayiram K. Selvakumar
Additional Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/hcservices> This Writ Petition has been filed seeking for a direction



to direct the respondents to disburse for a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) along with appropriate interest for the medical expenses incurred towards treatment of petitioner's husband R.Jeyaprakash.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader takes notice for the respondents. By consent of parties, the Writ Petition is taken up for disposal, at the stage of admission itself.

3. According to the petitioner, she has attained Superannuation and retired from service as Headmistress on 31.05.2018. Her husband namely, R. Jeyaprakash was admitted in SRM Institutes of Medical Science, Chennai on 23.07.2018 and implant was replaced in Left Hip on 25.07.2018 and discharged on 01.08.2018. The total expenditure incurred for the above said medical treatment was Rs.6,34,093/- (Rupees Six Lakhs Thirty Four Thousand and Ninety Three Only).

4. According to the petitioner, she submitted a proposal along with Discharge Summary and Bills to the fifth respondent on 17.08.2018 the same was returned for want of certain documents, vide proceedings in Na.Ka.No.32/2018/R3, dated 31.08.2018. The returned above said proposal was resubmitted along with necessary documents on 11.09.2018, but the fifth respondent has not taken any steps and stated that she is not entitled to get the medical expenditure, since the SRM Institutes of Medical Science, Vadapalani is not come under the network Hospital as per the Tamil Nadu New Health Insurance Scheme, 2018. Hence, the instant writ petition is filed to reimburse the medical expenditure along with interest.

5. The learned Additional Government Pleader appearing for the respondents would submit that, if the said proposal was resubmitted by the petitioner before the authorities concerned the same shall be considered by the authorities by placing the said proposal before the District Level Empowered Committee as per Government orders.

6. In the light of the above said submission, this Court is inclined to direct the fifth respondent to consider the resubmitted proposal submitted by the petitioner, within a period of Four (4) weeks, from the date of receipt of copy of the order and if otherwise in order the same shall be forwarded to the District Level Empowered Committee for considering the said proposal, within a period of Four (4) weeks, from the date of receipt of copy of this order.



7. With the above directions, this Writ Petition is disposed of. No Costs.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Secretary,
The State of Tamil Nadu,
Department of Finance (Pension),
Fort Saint George, Chennai - 600 009.
2. The Commissioner of Treasuries and Accounts
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+1 CC to M/s.A. AJITH GEETHAN, Advocate (SR-82683[F] dated 21/08/2019)

+1 CC to M/s.SPL GP (SR-82836[F] dated 21/08/2019)

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