



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.02.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.1220 of 2020

Kovilpitchai

... Petitioner

/vs./

1.The Secretary to Government of Tamil Nadu
Finance (Pension) Department,
Secretariat,
Fort St.George,
Chennai-600 009.

2.The General Manager,
United India Insurance Company Ltd.,
Cilling Building,
No.134, Greams Road,
Chennai-600 006.

3.The Divisional Manager,
United India Insurance Company Ltd.,
PLA Rathina Tower 5th Street,
5th Floor, 212, Anna Salai,
Chennai-600 006.

4.The District Collector,
Tirunelveli District,
Tirunelveli.

5.The Sub-Treasury Officer,
Cheranmahadevi,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to reimburse the medical claim for a sum of Rs.4,00,000/- together with interest at the rate of 7.5% per annum as per the petitioner's representation dated 21.08.2019.

For Petitioner	:	Mr.V.Sasi Kumar
For R1, R4 and R5	:	Mr.M.Jeyakumar
		Additional Government Pleader
For R2 and R3	:	Mr.A.Shajahan

**ORDER**

The petitioner's claim for medical reimbursement was referred to the District Level Empower Committee and according to the learned Additional Government Pleader, the petitioner's claim was considered and rejected on the ground that the treatment undertaken by the petitioner was an Non-network Hospital and therefore, it is against the scheme.

2.While that being so, it would not be appropriate to consider the prayer sought for by the petitioner in the present writ petition for issuance of a mandamus for the purpose of reimbursement of medical claim that also was agreed by the petitioner. The appropriate remedy is only to challenge the rejection order passed by the District Level Empower Committee.

3.In the light of the above observations, this Writ Petition stands closed with liberty to the petitioner to challenge the rejection order passed by the District Level Empower Committee, in accordance with law. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government of Tamil Nadu
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+1 CC to M/s.V.SASIKUMAR, Advocate (SR-7866[F] dated 24/02/2020)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-7772[F] dated 24/02/2020)

+1 CC to M/s.SPL.GP (SR-8130[F] dated 25/02/2020)

Order made in
W.P.(MD)No.1220 of 2020
24.02.2020

AL(CO)
TR(10.03.2020)3P 9C