



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition (MD)No.1823 of 2020

G.Shanmugasundaram

... Petitioner

Vs.

1. The Commissioner of Treasuries and Accounts,
Nandhanam,
Chennai 35.

2. The Sub Treasury Officer,
Periyakulam,
Theni District.

3. The District Collector,
Theni District,
Theni.

4. The United India Insurance Company Limited,
212, Anna Salai,
Chennai -6.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to reimburse Rs.1,47,270/- (Rupees one lakh forty seven thousand two hundred seventy only) being the balance medical expenditure remitted by the petitioner after adjusting Rs.1,75,500/- under the New Health Insurance Scheme out of total expenditure of Rs.3,22,770/- incurred by the petitioner for the illness of Coronary Artery Disease LMCA + two vessel disease and Surgery with Grafts to Lad, D1 & OM1 for treatment undergone by the petitioner in Vijaya Hospital, Chennai for the period from 26.09.2019 to 05.10.2019 in the light of the Division Bench judgment of this Court in W.A.(MD). Nos.415 and 416 of 2018, dated 08.03.2018, within a specified period.

For Petitioner	:	Mr.S.Govindan
For R1 to R3	:	Mr.M.Jeyakumar Government Advocate
For R4	:	Mr.A.Shajahan



ORDER

This writ petition has been filed for a direction to the respondents to reimburse Rs.1,47,270/- being the balance medical expenditure remitted by the petitioner, after adjusting Rs.1,75,500/- under the New Health Insurance Scheme, out of total expenditure of Rs.3,22,770/- incurred by the petitioner for the illness of Coronary Artery Disease LMCA + two vessel disease and Surgery with Grafts to Lad, D1 & OM1 for treatment undergone by the petitioner in Vijaya Hospital, Chennai for the period from 26.09.2019 to 05.10.2019, in the light of the Division Bench judgment of this Court in W.A.(MD).Nos.415 and 416 of 2018, dated 08.03.2018, within a specified period.

2. The learned counsel appearing for the petitioner submitted that the petitioner has given a representation dated 05.12.2019 to the respondents 2 and 3, requesting them to reimburse the balance medical expenditure of Rs.1,47,270/-. Subsequent to the representation, dated 05.12.2019, the second respondent has sent a reply dated 30.01.2020, wherein he has sought for certain documents from the petitioner. He further submitted that he is ready to produce all the documents as requested by the second respondent, dated 30.01.2020, within a period of four weeks time.

3. Heard the learned counsel for the petitioner, learned Government Advocate appearing for the respondents 1 to 3, learned counsel for the fourth respondent and perused the materials available on record.

4. In view of the submissions made by the learned counsel for the petitioner, this Court directs the petitioner to submit the documents as sought for by the second respondent, within a period of four weeks from the date of receipt of a copy of this order and the second respondent is directed to dispose of the representation of the petitioner, dated 05.12.2019, on merits and in accordance with law, within a period of four weeks thereafter, so as to enable the petitioner to get the reimbursement of the medical expenses, as the same is legally entitled to.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Akv

<https://hcservices.ecourts.gov.in/hcservices/>



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Commissioner of Treasuries and Accounts,
Nandhanam,
Chennai 35.
2. The Sub Treasury Officer,
Periyakulam,
Theni District.
3. The District Collector,
Theni District,
Theni.
4. The United India Insurance Company Limited,
212, Anna Salai, Chennai -6.

+1cc to Mr.A.Shajahan, Advocate, SR.No.26428.

+1cc to the Spl GP SR No.26623.

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SGS(CO)
CS(05.01.2021) 3P 7C