



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2020**

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P (MD)No.5232 of 2020

C.Malliga

.. Petitioner

Vs.

- 1.The Secretary to Government,
Government of Tamil Nadu,
Finance (Salaries) Department,
Fort St.George, Chennai-9.
- 2.The Secretary to Government &
Commissioner of Agriculture Production
Agriculture Department,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.
- 3.The Director of Agriculture,
Chepauk, Chennai.
- 4.The joint Director of Agriculture,
Theni District.
- 5.The Joint Director of Agriculture
Theni District.
- 6.The District Collector,
Theni District.
- 7.The Senior General Manager,
Star Health & Allied Insurance Co., Ltd.,
Tamil Nadu Government Employees,
New Health Insurance Scheme,
Old No.64A, New No.2A, Ganga Nagar Road,
Opp.BSNL Office, Kodambakkam,
Chennai-600 024.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, direct the respondents herein to reimburse the medical claim of Rs.5,75,862/- together with interest at the rate of 7.5% p.a., thereon to the petitioner covered by the medical records and medical bills within a reasonable time as may be fixed by this Court.



For Petitioners : Mr.K.Appadurai
For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents to reimburse the medical claim of Rs.5,75,862/- together with interest at the rate of 7.5% p.a., to the petitioner covered by the medical records and medical bills.

2.The petitioner's husband had voluntarily retired from service as Deputy Director of Agriculture, Agriculture Department, Chinnamanur, on 29.02.2012. While he was in service, he has been contributing to the Tamil Nadu Government Employees Health Fund Scheme from the year 2011-2012. The husband of the petitioner suffered from chest pain and he was admitted in Vadamalayan Hospital, Madurai, on 16.03.2011 as inpatient and discharged on 19.03.2011 and incurred an expenditure of Rs.4,20,018/- for the said medical treatment. Thereafter, he was admitted in the same Hospital and discharged on 12.04.2011 and incurred an expenditure of Rs.4,23,841/- and for fixing permanent Pace Maker came around Rs.4,00,000/-. The total expenditure was Rs.9,00,000/-. The petitioner is entitled to claim Rs.5,75,862/- under the New Health Insurance Scheme. The petitioner applied to the seventh respondent for reimbursement along with necessary documents. But, the seventh respondent rejected her claim on the ground that the petitioner's husband took treatment does not come under the list of treatment. Hence, the petitioner is before this Court.

3.Today when the matter is taken up for hearing, the learned Government Advocate appearing for the respondents has produced a copy of the proceedings issued by the fourth respondent in foj vz; M4/2201/2020 dated 13.03.2020 stating that already recommendation sent to the Treasury Officer by foj vz;.f1/9770/14, ehs; 26.4.2019 and after verification, the amount will be sanctioned to the petitioner. Therefore, he seeks three weeks time to comply with the above said process.

4.Recording the submission made by the learned Government Advocate, this Writ Petition is allowed with a direction to the respondents to reimburse the medical claim with 7.5% interest within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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+1 CC to M/s.SPL.GP (SR-12018[F] dated 17/03/2020)

+1 CC to M/s.K.APPADURAI, Advocate (SR-12064[F] dated 17/03/2020)

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CN(08.05.2020) 3P C10