



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P (MD)No.1097 of 2019

and

W.M.P(MD) Nos.915 and 10461 of 2019

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R.Elavarasan

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Finance,
Secretariat, Fort St.George,
Chennai.
- 2.The State of Tamil Nadu,
represented by its Principal Secretary,
Department of Health and Family Welfare,
Secretariat, Fort St.George,
Chennai.
- 3.The District Collector,
Tirupur,
Tirupur.
- 4.The Joint Director,
Medical and Rural Health Services,
Tirupur, Tirupur.
- 5.The Treasury Officer,
O/o. The Treasury Officer,
Tirupur.
- 6.The Tamil Nadu New Health Insurance Scheme,
Employee Scheme,
The Chief Nodal Officer,
MD Health Insurance TPA Private Ltd.,
Guna Complex,
443, 445, Anna Salai,
Chennai-600 018.

... 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 1 and 2 to provide the Medical Reimbursement of Rs.6,43,413/- with the interest of 12% per annum to the petitioner from 31.07.2018 till the date of payment within the time stipulated by this Court.

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



For Petitioner : Mr.T.Lajapathi Roy
For R-1 to R-5 : Mr.B.Bhagavathy
Government Advocate

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O R D E R

This writ petition has been filed to direct the respondents 1 and 2 to provide the Medical Reimbursement of Rs.6,43,413/- with the interest of 12% per annum to the petitioner from 31.07.2018 till the date of payment within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner spent a sum of Rs.6,43,413/- for medical expenses. The petitioner is a regular monthly subscriber of New Health Insurance Scheme and he is eligible for full reimbursement. Therefore, as per the New Health Insurance Scheme, he made an application along with relevant papers to the fourth respondent on 26.09.2018 for reimbursement of medical bills. However, till date the fourth respondent has not taken any steps to provide reimbursement of the medical expenses. Therefore, the petitioner made another representation on 10.11.2018. Since no action has been taken till date, the petitioner has filed the present writ petition.

3.The learned Government Advocate appearing for the respondents would submit that the application of the petitioner is pending before the fourth respondent for consideration.

4. Heard the learned counsel for the petitioner, learned Government Advocate appearing for the respondents 1 to 5 and perused the materials available on record.

5.In view of the submission made by the learned counsel appearing on either side, it appears that the petitioner made a representation before the respondents on 26.09.2018 along with all relevant documents, but no response from the respondents. Therefore, this Court is inclined to pass the following orders:-

The fourth respondent is directed to finalize the claim made by the petitioner and send the same to the third respondent within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the third respondent is directed to place the same before the Committee to decide the eligible amount for reimbursement of the medical expenses, within a period of four weeks from the date of receipt of the recommendation. While considering the petitioner's application, the third and fourth respondents shall take into consideration of the order passed by this Court in a batch of writ petitions in W.P.



(MD).Nos.21950 etc., batch, dated 16.12.2020 and pass appropriate orders.

6.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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 Principal Secretary,
State of Tamil Nadu,
Department of Finance,
Secretariat, Fort St.George,
Chennai.
- 2.The Principal Secretary,
State of Tamil Nadu,
Department of Health and Family Welfare,
Secretariat, Fort St.George,
Chennai.
- 3.The District Collector,
Tirupur,
Tirupur.
- 4.The Joint Director,
Medical and Rural Health Services,
Tirupur,
Tirupur.



5.The Treasury Officer,
O/o. The Treasury Officer,
Tirupur.

+1cc to Mr.A.Shajahan, Advocate Sr.No.26423

+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.26487

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and

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ES (CO)

NR (19/01/2020) 4P : 8C