



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.20845 of 2015

WEB COPY

K.Sivamoorthi

... Petitioner

-Vs-

1.The Secretary to Government,
Health Department,
Fort St. George, Chennai-9.

2.MD India Healthcare Services (TPA) Pvt., Ltd.,
Claims Department,
Regional Office,
No.27/7, Lakshmi Towers,
3rd Floor, Dr.R.K.Salai,
Mylapore, Chennai-4.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned letter passed by the second respondent, dated 03.11.2015 and quash the same and consequently, direct the second respondent to pay the amount of reimbursement to the petitioner.

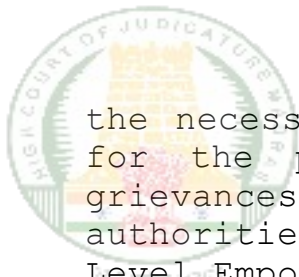
For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.D.Muruganandham
Additional Government Pleader (for R1)

Mr.A.Shajahan (for R2)

ORDER

It is brought to the notice of this Court that the petitioner is working in the Tamil Nadu State Transport Corporation, Palladam. The wife of the petitioner sustained burn injuries and after taking treatment, died in the hospital. The petitioner submitted application for medical reimbursement. The second respondent, who is a private health care services/3rd party administrator, rejected the claim of the writ petitioner. The second respondent is appointed by the United Insurance Company Limited as per IRT Act and the Government is maintaining a contract between the United Insurance Company and the Government in order to provide medical facilities to the Government employees. First of all, the petitioner is not impleaded the Transport Corporation as respondent. Secondly, the United Insurance Company is also not a party in the writ petition. Thus,



the necessary parties are not implemented. There is a committee for the purpose of deciding this issues. Undoubtedly, the grievances of the petitioner is to be looked into by the competent authorities, which are District Level Empower Committee and State Level Empower Committee and also the High Level Empower Committee.

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2. In view of these factors, the petitioner has to approach the proper authorities for the purpose of considering this case for grant of reimbursement. The present writ petition is filed even without impleading the necessary parties and the petitioner has not approached the competent authorities for the purpose of redressal of his grievances.

3. Under these circumstances, the petitioner is at liberty to approach the competent authorities through proper channel for the purpose of grant of medical reimbursement in accordance with the Rules in force and in consonance with the principles laid down in various Judgments of the Courts and in the event of such approach, the competent authorities are bound to consider the same based on the facts and circumstances.

4. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Sji

To

The Secretary to Government,
Health Department,
Fort St. George, Chennai-9.

+1 CC to SGP (SR-25554[F] dated 15/12/2020)

+1 CC to Mr.A.SHAJAHAN, Advocate (SR-25691[F] dated 16/12/2020)

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