

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6466 of 2021

K.K.Viswanathan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. by its Secretary,
Finance Department,
Secretariat, Chennai.
2. The State Level Empowered Committee,
New Health Insurance Scheme of Pensioners,
(Including spouses)/Family Pensioners,
Integrated Office Complex for Finance Department,
Veterinary Hospital Campus, Nandanam,
Chennai 600 035.
3. The Chairman/District Collector,
The District Level Empowered Committee,
New Health Insurance Scheme of Pensioners,
(Including spouses)/Family Pensioners,
Tiruppur District.
4. The Joint Director of Medical and Rural Health Services,
Tiruppur District.
5. The Sub-Treasury Officer,
Dharapuram Treasury,
Tiruppur District.
6. United India Insurance Co. Ltd.,
D.O.No.010600, 5th Floor,
PLA, Rathna Tower,
212, Anna Salai,
Chennai 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd Respondent/Committee to dispose of his Appeal dated 07.01.2021.

For Petitioner : Mr.K.V.Muthuvisakan

For Respondents 1 to 5 : Mr.R.A.S.Senthilvel,
Additional Government Pleader

O R D E R

Petitioner, who retired as 01.04.2002 as Headmaster from Mulanur Government Higher Secondary School, Tiruppur District, has come up with this Writ Petition seeking a direction to the 2nd Respondent/Committee to dispose of his Appeal dated 07.01.2021 filed against the rejection of his reimbursement claim of Rs.1,48,424/- for the reason that, his wife took I.P. Treatment in a non-network Hospital, under "New Health Insurance Scheme, 2018 for pensioners (including spouse)/Family Pensioners" Scheme.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. Considering the facts and circumstances of the case, this Court directs the 2nd Respondent/Committee to dispose of the Petitioner's Appeal dated 07.01.2021, on merits and in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders, within a period of four months from the date of receipt of a copy of this order.

4. Petitioner shall furnish his phone number, email ID, if any, etc., along with a copy of his Appeal dated 07.01.2021 and a copy of this order, to the 2nd Respondent/Committee, forthwith. The 2nd Respondent/Committee is directed to communicate the decision taken on the said representation to the Petitioner herein within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that, there is no need for the parties to file contempt after expiry of the specified period. In case, the Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that he/she is not aware of the order of this Court.

With the above direction and observation, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AEB

To:

1. The Secretary,
Government of Tamil Nadu,
Finance Department, Secretariat, Chennai.
2. The State Level Empowered Committee,
New Health Insurance Scheme of Pensioners,
(Including spouses)/Family Pensioners,
Integrated Office Complex for Finance Department,
Veterinary Hospital Campus, Nandanam,
Chennai 600 035.
3. The Chairman/District Collector,
The District Level Empowered Committee,
New Health Insurance Scheme of Pensioners,
(Including spouses)/Family Pensioners, Tiruppur District.
4. The Joint Director of Medical and Rural Health Services,
Tiruppur District.
5. The Sub-Treasury Officer,
Dharapuram Treasury,
Tiruppur District.
6. United India Insurance Co. Ltd.,
D.O.No.010600, 5th Floor,
PLA, Rathna Tower,
212, Anna Salai,
Chennai 600 006.

+1cc to Mr.K.V.Muthuvisakan, Advocate, S.R.No.16310
+1cc to the Government Pleader, S.R.No.16241

W.P.No.6466 of 2021

PL(CO)
TE(20/04/2021)