



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.11665 of 2021

A.Anand

...Petitioner

Vs

1 Government of Puducherry
Rep. by its Chief Secretary
Puducherry.

2 The Director of Health and Family Welfare,
Puducherry.

3 The District Collector - Cum-
District Magistrate Puducherry.

4 Sri Venkateshwara Medical College
Hospital and Research Center
Rep. by its Director Puducherry.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 herein to ensure free treatment to the covid patients in the Union Territory of Puducherry.

For the Petitioner : Ms.M.N.Sumathy

For the Respondents : Ms.N.Mala,
Govt Pleader (Puducherry)
for respondents 1 to 3

Mr.L.Swaminathan,
for fourth respondent

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The matter pertains to the reimbursement of the costs incurred by citizens who were referred to private medical facilities by government hospitals in the Union Territory of Puducherry.



WEB COPY

2. After several rounds of persuasion, the Government of Puducherry has now yielded. The petitioner says that the concerned patients, to the best of the petitioner's knowledge, have been reimbursed the expenses incurred for obtaining Covid treatment at private medical institutions.

3. However, it is submitted on behalf of some of the appearing private nursing homes, particularly the fourth respondent, that notwithstanding the earlier Government promises that full reimbursement of the costs will be provided to the private medical facilities, only limited sums have been released, far less than what it cost such private medical centres in treating the Covid patients referred by government hospitals.

4. Since the petition pertains to the rights of the ordinary citizens to recover the money spent for treatment upon being referred to a private facility by government hospitals in Puducherry, the claims of the private medical centres against the Government are left open to be pursued by the private parties in accordance with law.

5. W.P.No.11665 of 2021 is disposed of. There will be no order as to costs. W.M.P.Nos.12413 and 12414 of 2021 are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

tar

To:

- 1 The Chief Secretary
Government of Puducherry,
Puducherry.
- 2 The Director of Health and Family Welfare,
Puducherry.
- 3 The District Collector - Cum-
District Magistrate Puducherry.

+1 cc to Mr.L.Swaminathan,Advocate Sr.No.51776

W.P.No.11665 of 2021

AK-II[co]

NSK 11/10/2021