



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18970 of 2021  
(Through Video Conferencing)

C.Shanmugam

...Petitioner

Vs

1.The State Appropriate Authority,  
Clinical Establishment Act/  
Director of Medical and Rural Health Services,  
Chennai - 600 006.

2.United India Insurance Company,  
Silingi Buildings, IV Floor,  
134, Greaves Road,  
Chennai - 600 006.

3.The Collector,  
Thanjavur, Thanjavur District.

4.The Tahsildar,  
Kumbakonam, Thanjavur District.

...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 order of the third respondent in Na.Ka.E/31777/2019 dated 24.05.2021 communicating the decision of the second respondent dated 16.03.2021 referred to in the impugned order but not served on the petitioner and quash the same and direct the respondents to process the petitioner's medical reimbursement claim under the Tamil Nadu New Health Insurance Scheme 2016 for the Covid 19 treatment undergone by him at Vijay Polyclinic, Kumbakonam and reimburse the sum of Rs.2,97,207/- towards the medical expenses within a time limit to be stipulated by this Court.

For Petitioner : Mr.P.Mohanraj

For Respondents  
For R1, R3 & R4 : Mr.L.S.M.Hasan Fizal  
Government Advocate



## ORDER

The petitioner is a Deputy Tahsildar with the third respondent who was admitted with Covid-19 symptoms on 01.09.2020 until 09.09.2020 at Thanjavur Medical College Hosptial, Thanjavur. At the time of admission, the petitioner was stated to be suffering from Covid-19. Thereafter, he was discharged and admitted in Vijay Polyclinic at Kumbakonam and underwent treatment there till 14.09.2020.

2. The petitioner appears to have incurred an amount of Rs.2,97,207/-. Under these circumstances, the petitioner made an application for reimbursement of the amount paid by him to the said Vijay Polyclinic where he had taken treatment for a period of five days from 09.09.2020 to 14.09.2020. The said Vijay Polyclinic is one of the hospital notified by the Government of Tamil Nadu by its order dated 03.08.2020 along with Apollo Speciality Hospital, OMR, Perungudi Chennai and Suman Hospital, Thiruvotriyur, Chennai. The third respondent has now rejected the application even though the fourth respondent has recommended for payment of the aforesaid amount. That apart, it is also stated that the petitioner has taken treatment from a hospital which is not notified/approved.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the first, third and fourth respondents. I have perused the impugned communication dated 24.05.2021 seeking to reject the claim of the petitioner.

4. The respondents themselves have notified that the aforesaid Vijay Polyclinic as one of the hospital for giving treatment for Covid-19 Patients. Considering the fact that the petitioner was admitted with Covid-19 symptoms and taken treatment initially between 01.09.2020 and 09.09.2020 at Thanjavur Medical College Hosptial, Thanjavur and thereafter at the said Vijay Polyclinic at Kumbakonam, it is not open for the third respondent/Collector to conclude that the petitioner was suffering from non-critical symptoms albeit non-critical Covid-19.

5. Since the respondents themselves have recognized the aforesaid hospitals as one of the hospital, where the petitioner has taken treatment, the amount paid by the petitioner out of pocket for treatment cannot be denied. Under these circumstances, this Writ Petition stands allowed. No costs.

Sd/-  
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

arb



To

1.The State Appropriate Authority,  
Clinical Establishment Act/  
Director of Medical and Rural Health Services,  
Chennai - 600 006.

2.United India Insurance Company,  
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3.The Collector,  
Thanjavur,  
Thanjavur District.

4.The Tahsildar,  
Kumbakonam,  
Thanjavur District.

+1cc to M/s.P.Rajendran, Advocate SR.No.45478

+1cc to the Government Pleader SR.No.46124

W.P.No.18970 of 2021

KSM(CO)  
RVM(06/10/2021)