



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.837 of 2019

and W.M.P.(MD).No.664 of 2019

G.Leelavathi

...Petitioner

Vs.

1.The District Collector,
Trichy, Trichy District.

2.The Joint Director of Labour Welfare,
Trichy, Trichy District.

3.The District Educational Officer,
Trichy, Trichy District.

4.The Divisional Manager,
United India Insurance Co. Ltd.,
Divisional Office - VI,
5th Floor, PLA Ratna Towers,
No.212, Anna Salai,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent in his proceedings, dated 15.12.2018, and quash the same as illegal and further direct the respondents to disburse the medical expenses a sum of Rs.4,90,709/- within the period that may be stipulated by this Court. (Expenses amount amended vide order, dated 20/08/2019, made in WMP(MD).No.13664/19 in WP(MD).No.837/19.)

For Petitioner : Mr.N.Kamesh

For Respondents : Mr.N.Shanmugaselvam for R1 to R3
Additional Government Pleader
Mr.A.Shajahan, for R4

O R D E R

Heard Mr.N.Kamesh, learned counsel for the petitioner, Mr.N.Shanmugaselvam, learned Additional Government Pleader for the respondents 1 to 3 and Mr.A.Shajahan, learned Standing Counsel for the fourth respondent.

2.The petitioner's claim for medical reimbursement has been rejected by the fourth respondent herein. The procedure for claiming medical reimbursement has now been settled pursuant to the orders of this Court, whereby, the claimant is required to approach the District Level Empowered Committee with an appropriate application justifying the claim for the reimbursement. The orders



of the District Level Empowered Committee are subject to appeals before the State Level Empowered Committee and the High Level Empowered Committee. In order to make a proper claim, it would be appropriate for the petitioner to approach the committee which would consider her claim based on the materials available on record. If the petitioner is granted liberty in this regard the ends of justice could be secured.

3.The fourth respondent herein has now rejected the petitioner's claim on certain grounds that the claim is based on treatment taken on unapproved procedures, etc. Since this Court is granted liberty to the petitioner to approach the District Level Empowered Committee, the present order cannot be sustained.

4.Accordingly, the impugned order passed by the 4th respondent in his proceedings, dated 15.12.2018, is hereby quashed. Consequently, the petitioner is granted liberty to approach the District Level Empowered Committee of Trichy District, with an application seeking for reimbursement of the petitioner's husband's medical expenses and on receipt of such application, the District Level Empowered Committee shall endeavour to consider the application on its own merits and pass appropriate orders as expeditiously as possible, in any event, without a period of three months from the date of receipt of such application.

5.With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

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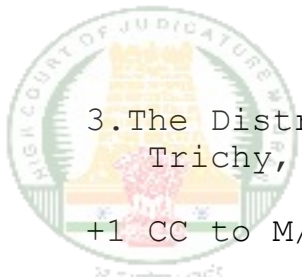
Sub Assistant Registrar(CS)

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 District Collector,
Trichy, Trichy District.

2.The Joint Director of Labour Welfare,
Trichy, Trichy District.



3.The District Educational Officer,
Trichy, Trichy District.

+1 CC to M/s.N.KAMESH, Advocate (SR-7659[F] dated 26/02/2021)

+1 CC to M/s.SPL GP (SR-8231[F] dated 02/03/2021)

W.P. (MD) No.837 of 2019
26.02.2021

PK(CO)

KB(11.03.2021) 3P 6C