



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.11825 of 2017

M.Sivagnanam

... Petitioner

Vs.

1.The Joint Director of Health Services,
Government Head Quarters Hospital,
Tenkasi, Tirunelveli District.

2.The Block Development Officer (Village Panchayat),
Palayamkottai Panchayat Union, Palayamkottai,
Tirunelveli District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the first respondent herein to sanction and reimburse the medical expenses of Rs.8,91,269 (Rupees Eight Lakhs Ninety One Thousand and Two Hundred and Sixty Nine) incurred by the petitioner for his medical treatment with 9% interest from the date of remittance of amount to the Hospital by him till the date of payment.

For Petitioner	:	Mr.V.Kannan
For Respondents	:	Mr.M.Muthugeethayan Special Government Pleader

ORDER

This Writ Petition is filed seeking for issuance of a writ of Mandamus to direct the first respondent herein to sanction and reimburse the medical expenses of Rs.8,91,269 (Rupees Eight Lakhs Ninety One Thousand and Two Hundred and Sixty Nine) incurred by the petitioner for his medical treatment with 9% interest from the date of remittance of amount to the Hospital by him till the date of payment.

2. Learned Counsel appearing for the petitioner would submit that the petitioner was working as Panchayat Secretary from 01.04.1990 and the petitioner enrolled as a member in the New Health Insurance Scheme 2012 and a monthly subscription was recovered from his salary. Accordingly, the petitioner and his family are eligible for medical treatment under the New Health Insurance Scheme 2012. While so, the petitioner was suffering from abdominal pain followed head ache, etc., and the pain and sufferings were aggravated from 22.07.2014 and thereafter he admitted in the Meenakshi Mission Hospital and Research Centre at Madurai on 02.08.2014 and after



getting treatment, he was put under the observation of Neuro Surgery Department of the said Hospital. For the above said treatment, he spent a sum of Rs.8,91,269/- and in order to reimburse the same, the petitioner submitted an application on 29.04.2015, for which the first respondent also made recommendation on 05.05.2015. Again, vide letter dated, 14.05.2015, the first respondent forwarded his application papers to the Dean, Tirunelveli Medical College Hospital, Tirunelveli requesting him to conduct medical examination with the concerned specialists and to send his report. Further, the Dean, Tirunelveli Medical College Hospital, Tirunelveli, vide his proceedings dated 04.06.2015 directed the petitioner to appear before the Head of their Neuro Surgery Department, on 12.06.2015. Accordingly, the petitioner appeared before them. Thereafter, no further action was taken thereafter. Again, the petitioner made repeated requests and finally on 09.02.2017 to the first respondent to pass necessary orders on the proposal forwarded to him in respect of his application for reimbursement of the amount for his medical treatment, for which, no order has been passed and hence, the present writ petition has been filed by the petitioner.

3. Learned Counsel appearing for the petitioner would submit that it would suffice if a direction is given to the first respondent to consider the representation of the petitioner dated 09.02.2017, seeking reimbursement of the amount spent for his medical treatment, within a time frame as fixed by this Court.

4. Learned Special Government Pleader appearing for the respondents has no objection for granting such relief as now sought for by the petitioner.

5. Considering the limited scope of prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, the first respondent is directed to consider the representation of the petitioner dated 09.02.2017, seeking reimbursement of the amount spent for his medical treatment, on merits and in accordance with law and dispose of the same within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

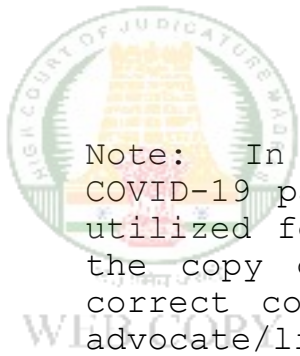
Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

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 Joint Director of Health Services,
Government Head Quarters Hospital,
Tenkasi,
Tirunelveli District.
- 2.The Block Development Officer (Village Panchayat),
Palayamkottai Panchayat Union,
Palayamkottai,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-11006[F] dated 15/03/2021)

W.P(MD)No.11825 of 2017
12.03.2021

DKS (CO)
TR(29.03.2021) 3P 4C