



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.8825 of 2021

A.Manoranjitham

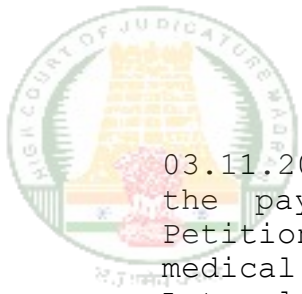
...Petitioner

vs.

1. The Secretary to Govt. - (External)
High Level Empowered Committee,
Finance Department,
Secretariat, Ft. St. George,
Chennai - 600009.
2. The District Collector,
Tiruvallur District,
Tiruvallur, Pin Code : 602 001.
3. The Director of Treasuries and Accounts
Panagal Building
Saidapet, Chennai - 600015.
4. The Joint Director of Health Services,
Tiruvallur District,
J.N.Road, Tiruvallur, Pin Code : 602 001.
5. The Treasury Officer
District Treasury,
Tiruvallur, Pin Code: 602 001.
6. The Senior Divisional Manager,
United India Insurance Company Ltd.,
Divisional Office VI,
PLA Rathna Towers, 5th Floor,
No.212, Anna Salai,
Chennai - 600006.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent culminating in the order Ref.No. Na.Ka.14801/2020/R3, dated 07.01.2021 purporting to reject to the Petitioner (PPO No.C72285) Medical Reimbursement claim of Rs.1,92,713/- (Rupees One lakh ninety two thousand seven hundred and thirteen only), and quash the same and direct the respondents to forthwith disburse the sum of Rs.1,92,713/- together with nominal interest at the rate of 9% per annum from the date of petitioner's first application dated



03.11.2014 submitted to the Respondents, to till the date of the payment of the above amount of Rs.1,92,713/- to the Petitioner (PPO No.C72285) representing the petitioner's medical reimbursement for the surgery/treatment for Antero Lateral Decompression and Cage Fixation, which was performed on the petitioner at Vasanthi Orthopedic Hospital, Razack Garden Main Road, Arumbakkam, Chennai - 600 106, in accordance with G.O. (Ms) No.391 Finance (Salaries) Department dated 10.12.2018, within a time limit that may be prescribed by this Court.

For Petitioner : Mr.B.Harikrishnan

For Respondents : Mr.V.Manoharan
Additional Government Pleader
(for R1 to R5)

Mr. P.Sankaranarayanan (for R6)

O R D E R

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent culminating in the order Ref.No. Na.Ka.14801/2020/R3, dated 07.01.2021 purporting to reject to the Petitioner (PPO No.C72285) Medical Reimbursement claim of Rs.1,92,713/- (Rupees One lakh ninety two thousand seven hundred and thirteen only), and quash the same and direct the respondents to forthwith disburse the sum of Rs.1,92,713/- together with nominal interest at the rate of 9% per annum from the date of petitioner's first application dated 03.11.2014 submitted to the Respondents, to till the date of the payment of the above amount of Rs.1,92,713/- to the Petitioner (PPO No.C72285) representing the petitioner's medical reimbursement for the surgery/treatment for Antero Lateral Decompression and Cage Fixation, which was performed on the petitioner at Vasanthi Orthopedic Hospital, Razack Garden Main Road, Arumbakkam, Chennai - 600 106, in accordance with G.O. (Ms) No.391 Finance (Salaries) Department dated 10.12.2018, within a time limit that may be prescribed by this Court.

2. According to the writ petitioner, the writ petitioner made a claim to the Director of Treasuries and Accounts, Chennai, seeking reimbursement of the sum of Rs.1,92,713/- under the Government Sponsored Medical Insurance Scheme for Pensioner. The District Level Empowered Committee has rejected the claim of the petitioner. Aggrieved by such rejection, the petitioner submitted an appeal representation dated 05.08.2017 and the same was also rejected by the State Level Empowered Committee.



3. According to the petitioner, the reasons stated by the State Level Empowered Committee that the petitioner has taken the treatment in a Non Network Hospital. Therefore, the rejection order is illegal and contrary to the decision rendered by this Court in W.P. (MD) No. 13429 of 2013 etc., batch dated 28.05.2019. Without taking note of the said order passed by this Court, the State Level Empowered Committee has passed the rejection order. As against the same, the petitioner submitted appeals dated 06.08.2018 and 19.02.2019 to the High Level Empowered Committee/the 1st respondent herein to consider his claim for medical reimbursement. Therefore, he is seeking a direction to the High Level Empowered Committee to consider his appeals dated 06.08.2018 and 19.02.2019 and pass appropriate orders.

4. On considering the said fact, this Court is directed the High Level Empowered Committee/the 1st respondent herein, to consider the petitioner's appeals dated 06.08.2018 and 19.02.2019 and pass appropriate orders, if they are pending, in accordance with law, by taking note of the order passed by this Court in W.P. (MD) No. 13429 of 2013 etc., batch dated 28.05.2019, as expeditiously as possible, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

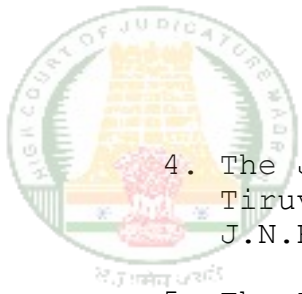
//True Copy//

Sub Assistant Registrar

dm

To

1. The Secretary to Govt. - (External)
High Level Empowered Committee,
Finance Department,
Secretariat, Ft. St. George,
Chennai - 600009.
2. The District Collector,
Tiruvallur District,
Tiruvallur, Pin Code : 602 001.
3. The Director of Treasuries and Accounts
Panagal Building
Saidapet, Chennai - 600015.



4. The Joint Director of Health Services,
Tiruvallur District,
J.N.Road, Tiruvallur, Pin Code : 602 001.

5. The Treasury Officer
District Treasury,
Tiruvallur, Pin Code: 602 001.

+1cc to Mr.B.Harikrishnan, Advocate SR. No.18287

+1cc to Government Pleader SR. No.18601

+1cc to Mr.P.Sankaranarayanan, Advocate SR. No.18479

W.P.No.8825 of 2021

PM (CO)

PR (01/04/2022)