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W.P.No.13197 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.13197 of 2022

R.Sivasubramanian

... Petitioner

Vs.

1.The Principal Secretary / Addl. Chief Secretary,
Revenue Disaster Management Dept.,
Fort St.George,
Chennai - 600 009.

2.The Commissioner of Treasuries and Accounts,
Integrated Finance Complex,
No.571, Anna Salai,
Nandanam,
Chennai - 600 035.

3.The Divisional Manager,
United India Insurance Company,
Divisional Office - VI,
5th Floor, PLA Rathna Tower,
212, Anna Salai,
Chennai - 600 006.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1 to 3 respondents to forthwith reimburse the medical expenses to a tune of



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amount of Rs.4,87,274/- basis of claim made by the petitioner on merits and as per Government orders.

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For Petitioner : Mr.P.D.Anbarasan

For Respondents : Mrs.Geetha Thamarai Selvan
Special Government Pleader
for R1

Mr.L.S.M.Hasan Fizal
Additional Government Pleader
for R2

Mr.P.Sankaranarayanan
for R3

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to reimburse the medical expenses of the petitioner amounting to Rs.4,87,274/- based on his representation dated 02.03.2022.

2. The petitioner and his wife were infected with Corona and according to them, they had incurred medical expenses. According to them, as per Government Insurance Scheme for Covid patients, they are entitled for medical reimbursement. In terms of the said Scheme, the petitioner has



given a representation seeking for reimbursement of the medical expenses incurred on account of Corona.

3. According to the petitioner, only a part of the amount was reimbursed i.e., a sum of Rs.1,81,500/- and still there remains a sum of Rs.4,87,274/- to be paid towards medical reimbursement. Since the representation has not been considered till date, the petitioner has filed this Writ Petition.

4. A counter affidavit has also been filed by the second respondent stating that the petitioner will have to re-submit Covid-19 medical reimbursement application to the second respondent in terms of the G.O.Ms.No.165 of the Finance (Health Insurance 1) Department dated 01.06.2022. It is also stated that the petitioner has already been paid a sum of Rs.1,81,500/- being the eligible amount towards medical reimbursement.

5. Since the representation given earlier is dated 02.03.2022, which is prior to G.O.Ms.No.165 of the Finance (Health Insurance 1) Department dated 01.06.2022 referred to supra, the petitioner will have to give a fresh



representation seeking for medical reimbursement in respect of the balance amount, if any payable, as per G.O.Ms.No.165 dated 01.06.2022.

6. No prejudice would be caused to the respondents if the petitioner is allowed to give a fresh representation seeking for payment of the balance sum under the Medical Insurance Scheme of the Government, in terms of the G.O.Ms.No.165 of the Finance (Health Insurance 1) Department dated 01.06.2022 and a direction is issued to the respondents to consider the same on merits and in accordance with law and in the light of the aforementioned G.O. within a time frame to be fixed by this Court.

7. This Court is not expressing any opinion on the merits of the petitioner's claim. It is for the respondents to consider the same on merits and in accordance with law.

8. For the foregoing reasons, this Writ Petition is disposed of by directing the petitioner to submit a fresh representation to the second respondent seeking for medical reimbursement of the balance sum amounting to Rs.4,87,274/- in the light of G.O.Ms.No.165 of the Finance



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(Health Insurance 1) Department dated 01.06.2022 within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law within a period of four weeks thereafter. No Costs.

20.10.2022

Index : Yes/No
Speaking Order : Yes / No
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To

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ABDUL QUDDHOSE. J.,

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