



WEB COPY



Cont.P.No.1688 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.1688 of 2022

Mrs.P.Lalitha

.. Petitioner

Vs.

Mr.S.Kumaresan, MBBS.,MS.,(General Surgery)

Director,

Medical and Rural Health Services,

Chennai – 600 006.

.. Respondent

PRAAYER: Contempt Petition filed Under Section 11 of Contempt of Courts Act, 1971, to punish the respondent for wanton and willful disobedience of the order passed by this Hon'ble Court in W.P.No.9079 of 2018 dated 26.02.2021.

For Petitioner : Mr.K.Sannjay

For Respondent : Mr.Stalin Abhimanyu
Additional Government Pleader

ORDER

The contempt petition has been filed to punish the respondent for wanton and willful disobedience of the order passed by this Hon'ble

Court in W.P.No.9079 of 2018 dated 26.02.2021.

<https://www.mhc.tn.gov.in/judis>



Cont.P.No.1688 of 2022

WEB COPY 2. This Court directed the respondent to pay the Medical Reimbursement claim of the writ petitioner.

3. The learned Additional Government Pleader appearing on behalf of the respondent made a submission that the Medical Reimbursement claim application of the writ petitioner was considered pursuant to the directions issued by this Court on 26.02.2021 in W.P.No.9079 of 2018 and the eligible amount as applicable under the scheme was settled in her favour. In this regard, the Government issued G.O.(Rt).No.550, Finance (Health Insurance-2) Department dated 09.09.2021.

4. Accordingly, the Government settled a sum of Rs.65,000/- (Rupees Sixty Five Thousand only) towards the Medical Reimbursement claim of the writ petitioner.

5. The learned counsel for the petitioner states that the petitioner took treatment in Apollo Hospital and submit all the bills.

6. Taking treatment in a Private hospital is the discretion of the employee concerned. However, regarding the Medical Reimbursement



Cont.P.No.1688 of 2022

claim, the competent authorities are bound to settle the same in accordance with the eligibility of the employee and as per the terms and conditions of the Health Insurance scheme. Simply because an employee took treatment in a Private hospital by spending a lot, she cannot claim the entire amount by stating that she had submitted the bills to the competent authorities.

7. The eligibility is to be considered with reference to the terms and conditions of the Health Insurance Scheme and no employee can claim more than the eligibility as assured under the scheme. Thus, the actual expenditure cannot be the criteria, but the eligibility as per the terms and conditions of the scheme is the criteria, this Court directed the authorities to settle the Medical Reimbursement claim of the writ petitioner and accordingly, they have calculated as per the scheme and settled.

8. Thus, the respondent has not committed any Contempt of Court and accordingly, the contempt petition stands closed. No costs.

07.11.2022



Cont.P.No.1688 of 2022

Speaking order: Yes
kak

WEB COPY



WEB COPY



Cont.P.No.1688 of 2022

S.M.SUBRAMANIAM, J.

kak

Cont.P.No.1688 of 2022

07.11.2022