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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.22593 of 2021

1 K.Ramachandran
S/o. Krishnan,
Work Inspector, P. W. D., (retd.),
Thapovanam Post,
Kandachipuram Taluk,
Villupuram District. ...Petitioner

Vs.

1 The Divisional Manager
United India Insurance Company Ltd.,
5th Floor, Pla Rathna Tower ,
212 Anna Salai, Chennai - 6.

2 The Principal Secretary / Commissioner
of Treasuries And Accounts Dept.,
Anna Complex, Veterinary Hospital
Campus, Nandanam, Anna Salai,
Chennai - 35.

3 The Joint Director Of Health Service,
Villupuram District, Villupuram.

4 District Treasury Officer,
Villupuram District, Villupuram. ...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for Writ of Certiorarified Mandamus, to call for the records of the order of the 1st respondent dated 26.02.2021 vide Ref No. 1667 / 2021 dated 12.08.2021 Ref No.010600/G/212/2021 and quash the same and consequently direct the 1st respondent to consider the petitioner's claim as recommended by the District Level Empowered Committee vide the Letter dated 16.02.2021 Ref No. 7797 / A3 / 2020 of the 3rd respondent.



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For Petitioner : Mr.A.Mohan
For Respondent No.1 : Mr.P.Sankaranarayanan
For Respondents-2to4 : Mr.S.Rajesh, G.A.

O R D E R

According to the learned counsel appearing for the petitioner, a proposal has been forwarded by the District Level Empowered Committee to the first respondent for settlement of the bills for the medical expenses met out by the petitioner. The first respondent rejected the said request on the ground that the petitioner undergone the medical treatment in Non Networking hospital. According to the counsel appearing for the petitioner, the aforesaid rejection order is contrary to the decision rendered by this Court in S.MARIMUTHU VS. THE GOVERNMENT OF TAMIL NADU REP. BY ITS SECRETARY, DEPARTMENT OF HEALTH AND FAMILY WELFARE, FORT ST. GEORGE, CHENNAI [W.P.No.13429 of 2013, etc. (Batch case) dated 28.5.2019] wherein this Court held that the claim of the petitioner cannot be rejected on the ground of taking treatment on Non Networking hospital.

2. The aforesaid decision is squarely apply to the facts of the case in hand. Hence, this Court has no hesitation to quash the impugned rejection order passed by the respondent.

3. In view of the above, the impugned order passed by the first respondent, dated 12.8.2021 is quashed. The first respondent is directed to consider afresh the representation made by the petitioner and settle the eligible amount to the petitioner in accordance with law. It is also made clear that the petitioner shall also produce original records before the first respondent for verification. The first respondent shall pass appropriate orders as expeditiously as possible to settle the medical bills to the petitioner, within a period of four weeks from the date of receipt of copy of the order.

4. The writ petition stands allowed with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar



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Commissioner of Treasuries & Accounts Dept.,
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Veterinary Hospital Campus,
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Chennai - 35.
- 3 The Joint Director Of Health Service,
Villupuram District, Villupuram.
- 4 The District Treasury Officer,
Villupuram District, Villupuram.

+1cc to Mr.A.Mohan, Advocate, S.R.No.11799
+1cc to Mr.P.Sankaranarayanan, Advocate, S.R.No.12264
+1cc to the Government Pleader, S.R.No.12346

W.P.No.22593 of 2021

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NSK 09/03/2022