



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.12071 OF 2017

R.Krishnamoorthy

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Finance (Pension) Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector/Chairman,
Villupuram District Level Empowered Committee,
Villupuram District,
Villupuram.

3. The Divisional Manager,
United India Insurance Company,
V Floor, PLA Rathna Towers,
212, Anna Salai,
Chennai - 600 006.

... Respondents

PRAYER:-

Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to pay the medical claim of the Petitioner on the death of spouse Andal to an extent of Rs. 74,426/- along with interest at 18% per annum within a date fixed by this Court.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mrs.C.Sangamithirai
Special Government Pleader
(for R1 & R2)

Mr.P.Sankaranarayanan
(for R3)



O R D E R

Heard Mr.A.R.Nixon, Learned Counsel for the Petitioner, Mrs.C.Sangamithirai, Learned Special Government Pleader appearing for the First and Second Respondents and Mr. P.Sankaranarayanan, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who is receiving pension on retirement from Government Service, has availed the benefits of the New Health Insurance Scheme, 2014, for Pensioners of the Government of Tamil Nadu in G.O.Ms.No.171, Finance (Pension) Department dated 26.06.2014, which also covers his dependents, by making periodical contributions towards insurance premia from his pension. It is the case of the Petitioner that his wife, viz., K.Aandal, had suffered from renal failure and had undergone treatment at Balaji Medical College Hospital, Chrompet, Chennai and she died on 25.09.2014 and he had incurred medical expenses of Rs. 74,426/- in that regard. The claim made by the Petitioner to the Third Respondent was rejected by proceedings dated 25.11.2014 of the Fourth Respondent stating that the treatment was taken at a non-network hospital. Though the Principal Secretary/Commissioner Treasuries and Accounts Department, Chennai by another Proceedings in Rc. No. 8155/2017/PNHIS dated 07.03.2017 informed the Petitioner that his claim for reimbursement of the medical expenses has been placed before the State Level Empowered Committee for its decision, but as nothing was heard thereafter, the Petitioner has filed this Writ Petition.

3. It is represented today by Learned Counsel appearing for the Third Respondent that in addition to a sum of Rs. 38,000/- which has already been paid to the Petitioner in furtherance to the order passed by the District Level Empowered Committee, a further amount of Rs. 20,142/- would be remitted into the bank account of the Petitioner shortly through electronic means, and that the break-up details under the various heads for the aggregate sum of Rs. 58,142/- would be furnished to the Petitioner under written acknowledgment. The Third Respondent shall complete the said exercise by 31.05.2022 without fail.

4. In view of the aforesaid subsequent events, nothing remains for consideration in this Writ Petition, but if the Petitioner still has any grievance to be redressed, he is not precluded from working out his rights before the proper forum in the manner recognized by law.



In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary to Government of Tamil Nadu,
Finance (Pension) Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector/Chairman,
Villupuram District Level Empowered Committee,
Villupuram District,
Villupuram.
3. The Divisional Manager,
United India Insurance Company,
V Floor, PLA Rathna Towers,
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Chennai - 600 006.

+1cc to Mr.A.R.Nixon, Advocate, S.R.No.28470
+1cc to the Government Pleader, S.R.No.28658

W.P.NO.12071 OF 2017

AJB(CO)
PBS/24/05/2022