



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HON'BLE MR.JUSTICE P.D AUDIKESAVALU

W.P.No.33558 of 2017

and

W.M.P.No.37081 of 2017

I.Amalarani

...Petitioner

-vs-

1. The Government of Tamil Nadu,
Represented by its Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
District Collectorate,
Chennai.

3. MD India Health Insurance (TPA) Pvt. Ltd.,
Unit of United India Insurance Company Ltd.,
Guna Complex, No. 443 & 44, Anna Salai,
Teynampet,
Chennai - 600 018.

4. United India Insurance Ltd.,
5th Floor, PLA Rathna Towers,
No. 212, Anna Salai,
Chennai - 600 006.

...Respondents

(R4 is suo-motu impleaded vide order dated 23.02.2022
in W.P.No.33558/2017)

Prayer:-Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Third Respondent pertaining to the impugned communication dated 20.03.2017 and quash the same and consequently direct the Respondents to reimburse the medical expenses of Rs. 1,06,794/- (Rupees One Lakh Six Thousand and Seven Hundred and Ninety Four only) incurred by the Petitioner for medical treatment of her husband after the road accident at St. Thomas Hospital in St. Thomas Mount, Chennai.



WEB COPY

For Petitioner : Ms. A.Arul Mary

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

Mr.P.Sankaranarayanan (for R3 & R4)

O R D E R

Heard Ms. A.Arul Mary, Learned Counsel for the Petitioner, Mr. Vadivelu Deenadayalan, Learned Additional Government Pleader appearing for the First and Second Respondents and Mr. P.Sakaranarayanan, Learned Counsel for the Third and Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2.The Petitioner, who is a teacher working in Government School, has availed the benefits of the New Health Insurance Scheme, 2016 of the Government of Tamil Nadu in G.O.Ms.No.202, Finance (Salaries) Department dated 30.06.2016, which also covers her dependents, by making periodical contributions towards insurance premia from her salary. It is the case of the Petitioner that her husband, viz., Raja, had suffered injuries in an accident that had taken place on 18.02.2017 for which he was admitted at St.Thomas Hospital, Chennai for treatment and surgery and she had incurred expenses of Rs. 1,06,794/- in that regard. The Petitioner had made a claim for reimbursement of the said medical expenses incurred to the Fourth Respondent, which is the Insurance Company to grant the benefits under the New Health Insurance Scheme, 2016. It was informed by the Third Respondent to the Petitioner by letter dated 20.03.2017 that the District Level Empowered Committee would have to examine the claim made in terms of 5(b) of Annexure-I relating to the implementation procedure for New Health Insurance Scheme in G.O. Ms.No.202, Finance (Salaries) Department dated 30.06.2016 issued by the Government of Tamil Nadu, which is extracted below:-

"5(b) Claims relating to treatment/surgery included in the approved list undergone in non-network hospital consequent on accidents shall be covered under NHIS, 2016 and settlement made through a suitable mechanism."

Aggrieved thereby, the Petitioner challenged the said letter and has sought for consequential direction to the Respondents to reimburse the medical expenses of Rs. 1,06,794/- incurred by her for the same.

3.During the earlier hearing on 23.02.2022, Learned Counsel for the Third and Fourth Respondents had sought time to obtain instructions as to why the Petitioner had not yet been granted the benefits in terms of the aforesaid clause and file a report



in that regard.

4.It was represented before the Court on 16.03.2022 that the Petitioner had been requested to re-submit the bills, which had been returned by letter dated 20.03.2017 by the Third Respondent to examine the claim. In furtherance thereto, Learned Counsel for the Third and Fourth Respondents, on instructions, states that an eligible amount of Rs. 75,872/- as against the bills produced would be remitted into the bank account of the Petitioner shortly through electronic means and that the break-up details under the various heads would be furnished to the Petitioner under written acknowledgment. The Fourth Respondent shall complete the said exercise by 31.05.2022 without fail.

5.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, she is not precluded from working out her rights before the proper forum in the manner recognized by law.

6.In the result, the Writ Petition is disposed with the aforesaid observations.Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Government of Tamil Nadu,
Represented by its Secretary,
School Education Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
District Collectorate,
Chennai.
3. MD India Health Insurance (TPA) Pvt. Ltd.,
Unit of United India Insurance Company Ltd.,
Guna Complex, No. 443 & 44, Anna Salai,
Teynampet, Chennai - 600 018.



4. The General Manager,
United India Insurance Ltd.,
5th Floor, PLA Rathna Towers,
No. 212, Anna Salai,
Chennai - 600 006.

WEB COPY

+1cc to the Government Pleader, S.R.No.28663

W.P. No. 33558 of 2017

JPL(CO)

RGA(25/05/2022)