



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1300 of 2021

WEB COPY

V.Duraisamy

... Petitioner

-vs-

1.The Secretary to Government,
Finance (Pension) Department,
Fort St. George, Chennai-600 009.

2.The Director of Pension,
2nd Floor, 3rd Block, D.M.S.Office,
Teynampet, Chennai-600 006.

3.The District Collector,
Kanyakumari District,
Nagercoil-629 001.

4.The Joint Director,
Medical and Rural Health Service Department,
Kanyakumari District.

5.The Treasury Officer,
District Treasury,
Kanyakumari District,
Nagercoil.

6.The Divisional Manager,
United India Insurance and Company Ltd.,
PLA, Rathina Towers, 5th Floor,
No.212, Anna Salai, Chennai-600 006.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 6th respondent to disburse the eligible entire amount of Rs.2,18,811/- to the petitioner recommended by the 4th respondent under the provisions contained under Tamil Nadu Medical Attendance Rules irrespective of the fact. Whether the hospital is approved or not within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.N.Mohamed Asif

For RR1 to 5 : Mr.A.K.Manikkam,
Special Government Pleader

For R6 : Mr.A.Shajahan



O R D E R

The relief sought for in the present writ petition is to direct the 6th respondent to disburse the eligible entire amount of Rs.2,18,811/- to the petitioner.

2.The learned counsel for the petitioner made a submission that the reimbursement claim application of the petitioner has already been processed and recommended. However, the Insurance Company has not taken final decision.

3.The learned counsel for the petitioner further made a submission that certain medical records were already produced before the Insurance Company and that eligible amount may be settled in favour of the petitioner.

4.This Court is of the considered opinion that medical reimbursement claim applications are submitted under the Health Insurance Scheme, which is a policy. Therefore, all such applications are to be decided as expeditiously as possible. In view of the fact that the applicants are pensioners and mostly senior citizens, long delay in disposing of such applications would cause hardship to the pensioners.

5.In view of the facts and circumstances, the 6th respondent is directed to consider the medical claim application submitted by the petitioner along with medical records and take a decision and communicate the same to the writ petitioner with a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish one more copy of the application along with the documents to the 6th respondent within a period of two weeks from the date of receipt of a copy of this order.

6.With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

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/ /2022

Sub Assistant Registrar(CS)

abr



To

1.The Secretary to Government,
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+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9614[F] dated 02/03/2022)

+1 CC to M/s.N.MOHAMED ASIF, Advocate (SR-9514[F] dated
02/03/2022)

+1 CC to M/s.SPL GP (SR-9245[F] dated 01/03/2022)

W.P. (MD) No.1300 of 2021
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MGJ(14.03.2022) 3P 10C