



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.2450 of 2022

and

W.M.P (MD) No.2136 of 2022

T.Palani Pandi

... Petitioner

-vs-

1.The Government of Tamil Nadu,
Represented by its Secretary,
Finance (Pension) Department,
Chennai - 600 009.

2. United India Insurance Company Limited,
Represented by its Senior Divisional Manager,
Divisional Office VI,
PLA Rathna Towers, 5th floor,
No.212, Anna Salai,
Chennai - 600 006.

3. The District Collector,
(District Level Empowered Committee)
Madurai District @ Madurai.

4. The Assistant Director,
Handloom and Textile Department,
No.29, Kakkan Street,
Shenoy Nagar,
Madurai - 625 020.

5. The Joint Director of Medical and Health Services,
Government Hospital Campus,
Usilampatti,
Madurai District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order passed by the 2nd respondent in his proceedings in No.NIL, Dated 10.01.2022 and Quash the same and consequently direct the respondents to disburse the medical reimbursement amount of Rs.5,07,000/- (Rupees Five Lakhs Seven Thousand Only) to the petitioner, within the period stipulated



For Petitioner : Mr.N.Sathish Babu
For Respondents : Mr.A.K.Manickam
No.1,3 & 5 Special Government Pleader
For R2 : Mr.A.Shajahan

O R D E R

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The medical reimbursement claim of the writ petitioner was rejected by the second respondent/United India Insurance Company Limited. The petitioner is a pensioner and the member of the New Health Insurance Scheme. The petitioner underwent certain medical treatment and submitted an application for reimbursement. The claim of the writ petitioner was recommended by the District Level Empowered Committee and the said recommendation is objected by the United India Insurance Company Limited.

2.It is pertinent to note that a representative of the United India Insurance Company is also a member of the District Level Empowered Committee and therefore, the recommendations of the committee is binding on the Insurance Company. If at all the Insurance Company is aggrieved from and out of the decision, they are at liberty to approach the State Level Empowered Committee. However, they cannot refuse to implement the recommendations of the District Level Empowered Committee and in such an event, the very purpose and object of the scheme will be defeated. This Court has elaborately considered the scope of the recommendations made by the District Level Empowered Committee and the said recommendations are binding on the Insurance Company and if they are aggrieved, they have to prefer an appeal.

3.This being the scope, the petitioner is directed to submit the medical bills within a period of two weeks from the date of receipt of a copy of this order and thereafter, the Second respondent/Insurance Company is directed to settle the eligible medical reimbursement claim amount of the writ petitioner within a period of eight weeks from the date of receipt of a copy of this order. If at all the decision of the District Level Empowered Committee is not acceptable to the Insurance Company, they are at liberty to prefer an appeal before the State Level Empowered Committee in the manner prescribed under the Scheme.

4.With the above directions, this Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)



To

1. The Secretary,
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Finance (Pension) Department,
Chennai - 600 009.
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Usilampatti,
Madurai District

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-13393[F] dated 22/03/2022)

+1 CC to M/s.SPL GP (SR-13861[F] dated 23/03/2022)

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MS/29.03.2022/3P.8C