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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.3424 of 2021

S.Mohamed Ali ... Petitioner

-vs-

1.The Secretary to Government,
Finance (Pension) Department,
Fort St. George, Chennai-600009.

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

3.The District Collector,
Erode District, Erode.

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

5.The District Treasury Officer,
District Treasury Office, Erode-638 011.

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 directing the 6th respondent to disburse the eligible entire amount of Rs.7,85,951/- (Seven lakhs eighty five thousand nine hundred and fifty one) with interest to the petitioner recommended by the District Level Empowered Committee (4th respondent) under the provisions contained under Tamil Nadu Medical Attendance Rules 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

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O R D E R

The relief sought for in the present writ petition is to decide the medical reimbursement application submitted by the petitioner.

2.The petitioner was working as Professor and retired from service on 31.05.2001. The petitioner states that he is a member of the New Health Insurance Scheme and eligible for medical reimbursement. The petitioner suffered heart attack and admitted in Vasantham Hospital at Nagergcoil. He had undergone angiogram and angioplasty. In respect of the medical expenditure, he submitted an application on 08.10.2019 to the 5th respondent and the said application is yet to be considered. In view of the long delay in considering the application, the petitioner has chosen to file the present writ petition.

3.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.

4.In view of the facts and circumstances, the 6th respondent is directed to consider the application submitted by the petitioner on 08.10.2019 and take appropriate steps to decide the application as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to send one more copy of the application and all other relevant medical records and documents to the 6th respondent within a period of two weeks from the date of receipt of a copy of this order.

5.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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No.212, Anna Salai, Chennai-600 006.

+1 CC to M/s.N.MOHAMED ASIF, Advocate (SR-9515[F] dated 02/03/2022)

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-9352[F] dated 01/03/2022)

+1 CC to M/s.SPL GP (SR-9247[F] dated 01/03/2022)

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MGJ(14.03.2022) 3P 10C

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