



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Cont. P(MD)No.353 of 2021

in

W.P(MD)No.101 of 2020

M.Nallakannu

... Petitioner/Petitioner

Vs.

1.M.Puviyarasu,

The Director of Treasuries and Account,
Panagal Building,
Saithapet,
Chennai-15.

2.T.S.Swathi Rethnavathi,

The Director of Medical and Rural Health Service,
Directorate, Annasalai,
Teynampet,
Chennai.

3.S.Rajendran,

The Deputy Director of Medical and Rural Health Service
and Family Welfare,
District Family Welfare Bureau,
5-A, Salai Street,
Tirunelveli-03.

4.V.Vishnu,

The District Collector,
Tirunelveli District,
Tirunelveli.

5.A.Venkatalakshmi@Revathi,

The Treasury Officer,
Collectorate Campus,
Tirunelveli.

... Contemnors/Respondents

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the contemnors / respondents for willfully and deliberately disobeying the order of this Court made in W.P. (MD)No.101 of 2020, dated 28.02.2020.



Prayer in WP(MD). 101/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Direct the respondents to pay medical bill of rupees 1,21,992/- to the petitioner payable under New Health Insurance Scheme 2018 for reimbursing Medical Expenditure incurred by the petitioner towards the Right arm surgery on 13.09.2018 with the interest at the rate of 12 percent

For Petitioner	: Mr.A.Balakrishnan
For Respondents	: Mr.A.K.Manickam
	Special Government Pleader

O R D E R

The learned counsel appearing for the petitioner made a submission that the final order in the writ petition was passed directing the respondents to settle the medical reimbursement claim of the writ petitioner. However, the respondents have settled a sum of Rs.57,000/- and as per the claim petition submitted by the writ petitioner, it is Rs.1,21,992/-.

2. This Court is of the considered opinion that the members of the Health Insurance Scheme submit application as per the medical bills and medical expenditure met by them. However, the settlement of medical reimbursement claim is to be made in accordance with the Government scheme and as per the eligibility. This dispute cannot be adjudicated in writ proceedings. As far as the respondents are concerned, they have settled a sum of Rs.57,000/- with reference to the application submitted by the writ petitioner for medical reimbursement.

3. Thus, if the petitioner is not satisfied with the amount settled or in the event of any dispute regarding calculation or otherwise, it is left open to the petitioner to approach the competent authorities for redressal of the same. Contrarily in contempt proceedings, the High Court cannot adjudicate the disputed issues, more specifically, regarding the eligibility of the medical reimbursement claim.

4. With this observation, the contempt petition stands closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rmi/vji



To

1.The Director of Treasuries and Account,
Panagal Building,
Saithapet,
Chennai-15.

2.The Director of Medical and Rural Health Service,
Directorate, Annasalai,
Teynampet,
Chennai.

3.The Deputy Director of Medical and Rural Health Service
and Family Welfare,
District Family Welfare Bureau,
5-A, Salai Street,
Tirunelveli-03.

4.The District Collector,
Tirunelveli District,
Tirunelveli.

5.The Treasury Officer,
Collectorate Campus,
Tirunelveli.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-7014[F] dated
18/02/2022)

+1 CC to M/s.SPL GP (SR-7619[F] dated 21/02/2022)

Cont. P(MD)No.353 of 2021
in
W.P(MD)No.101 of 2020
17.02.2022

SB(CO)
KB(04.03.2022) 3P 8C